Archives Edition

CANADA AND ITS PROVINCES

IN TWENTY-TWO VOLUMES AND INDEX

(Vols. 1 and 2)
SECTION I
NEW FRANCE, 1534-1760

(Vols. 3 and 4)
SECTION II
BRITISH DOMINION, 1760-1840

(Vol. 5)
SECTION III
UNITED CANADA, 1840-1867

(Vols. 6, 7, and 8)
SECTION IV
THE DOMINION: POLITICAL EVOLUTION

(Vols. 9 and 10)
SECTION V
THE DOMINION: INDUSTRIAL EXPANSION

(Vols. 11 and 12)
SECTION VI
THE DOMINION: MISSIONS; ARTS AND LETTERS

(Vols. 13 and 14)
SECTION VII
THE ATLANTIC PROVINCES

(Vols. 15 and 16)
SECTION VIII
THE PROVINCE OF QUEBEC

(Vols. 17 and 18)
SECTION IX
THE PROVINCE OF ONTARIO

(Vols. 19 and 20)
SECTION X
THE PRAIRIE PROVINCES

(Vols. 21 and 22)
SECTION XI
THE PACIFIC PROVINCE

(Vol. 23)
SECTION XII
DOCUMENTARY NOTES
GENERAL INDEX

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VOL. 19

SECTION X

THE PRAIRIE PROVINCES

PART I

CANADA

AND ITS PROVINCES

A HISTORY OF THE CANADIAN PEOPLE AND THEIR INSTITUTIONS BY ONE HUNDRED AUTHORITIES

ADAM SHORTT
ARTHUR G. DOUGHTY

LORD SELKIRK

From the painting ascribed to Raeburn at St Mary's Isle, Scotland

CANADA
AND ITS PROVINCES

A HISTORY OF THE CANADIAN
PEOPLE AND THEIR INSTITUTIONS
BY ONE HUNDRED ASSOCIATES

ADAM SHORTT
ARTHUR G. DOUGHTY
GENERAL EDITORS

VOLUME XIX

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CONTENTS

PAGE

THE PRAIRIE PROVINCES IN THE DOMINION: GENERAL OUTLINES. By D. M. DUNCAN 3

THE RED RIVER SETTLEMENT. By CHESTER MARTIN

INTRODUCTION 13
I. SETTLEMENT 14
II. CONFLICT 26
III. THE SELKIRK RÉGIME 38
IV. THE RULE OF THE COMPANY 48
V. INSURRECTION 63
VI. CONFEDERATION 81

POLITICAL HISTORY OF MANITOBA, 1870-1912. By CHESTER MARTIN

I. ORGANIZATION 97
II. TRANSITION 110
III. EXPANSION 121

SASKATCHEWAN AND ALBERTA: GENERAL HISTORY, 1870-1912. By EDMUND H. OLIVER

I. GROWTH OF SETTLEMENTS AND INSTITUTIONS 147
Order and Justice—Education—The Beginnings of Settlement—Development in the Eighties—Immigration Policies, 1889-1905—Growth of Settlements, 1897-1905—Growth of Municipalities and Towns

II. POLITICAL HISTORY 189
General Survey—The Period of Personal Rule, 1868-76—The North-West Council, 1876-88—The Struggle for Responsible Government, 1888-97—The Attainment of the Provincial Status, 1897-1905

III. THE PROVINCES 270
The Province of Saskatchewan—The Province of Alberta

ILLUSTRATIONS

LORD SELKIRK . . . . . *Frontispiece*

From the painting ascribed to Raeburn at St Mary's Isle, Scotland

DRIVING THE LAST SPIKE OF THE CANADIAN PACIFIC RAILWAY AT CRAIGELLACHIE, NOVEMBER 7, 1885 . . . . . *Facing page* 110

A FUR TRADER OF THE FAR NORTH . . „ 148

A RED RIVER CART AND DRIVER . . . „ 158

From a photograph by Mathers, Edmonton

THE FIRST THROUGH PASSENGER TRAIN FROM MONTREAL ARRIVING AT CALGARY, 1886 . „ 168

TYPES OF IMMIGRANTS ARRIVING IN CANADA „ 176

IMMIGRANTS ARRIVING IN CANADA . . „ 184

THE SURRENDER OF POUNDMAKER TO MAJOR-GENERAL MIDDLETON AT BATTLEFORD, MAY 26, 1885 . . . . . „ 210

THE PRAIRIE PROVINCES IN THE DOMINION: GENERAL OUTLINES

THE PRAIRIE PROVINCES IN THE DOMINION: GENERAL OUTLINES

THREE centuries have passed since Henry Hudson, in quest of a way to the Far East, sailed his last, fateful voyage, and by an incidental act of barter became the 'forerunner of the greatest trading company the world has ever seen.' Half a century later those adventurous knights of the fur trade, Radisson and Groseilliers, made the first voyage to Hudson Bay that had for its sole aim the profits of trade. Hard upon this pioneer commercial venture the stroke of a royal pen made 'The Governor and Company of Adventurers of England trading into Hudson's Bay' lords of half a continent. Not many years did this lordship go unchallenged. In 1731 La Vérendrye set out on his journey in search of an overland route to the Western Sea, a journey which, though it halted far short of its goal, yet blazed a trail from the Great Lakes deep into the fur country. The trader followed in the track of the explorer, and soon the 'Adventurers' found themselves confronted with the serious rivalry, at first of private traders, later of a fully organized and aggressive company. The fur trade and exploration went hand in hand, and here and there above the lower level of commercial strife rose the heroic figures of men who set noble achievement before sordid profit—Hearne, Henry, Mackenzie, Fraser, and Thompson.

The logical arrangement for a work so comprehensive in sweep as *Canada and its Provinces* has withdrawn from the scope of this section the romantic story of exploration and the fur trade, leaving as the field to be covered by the monographs contained in this section the more prosaic record of colonization and provincial organization. The fortunes of

the Red River Colony, traced through the privations of early settlement, the dangers of a bitter commercial rivalry, the prosperity of a paternal régime, and the suppressive rule of a fur company, challenge the interest of the reader throughout the pre-Confederation period. Within the Confederation era the history of the prairie provinces presents a striking record of development embracing the building of great railway systems, the promotion of immigration from world-wide sources, the attainment of full provincial status, and the organization of those agencies which save communities from the menace of mere materialism.

In 1670 Charles II issued the charter of the Hudson's Bay Company ; in 1783 the rival interests of Montreal merchants were reconciled in the founding of the North-West Company ; in 1811 the directors of the Hudson's Bay Company granted to Lord Selkirk for colonization purposes an area of 116,000 square miles. Widely separated as they were in time, and widely unrelated as they appeared in import, these three events released forces that shaped the destiny of Manitoba's first settlers. In the rivalry of the Hudson's Bay and North-West Companies or in the divergence of trading and colonizing interests are to be found the causes of most of the misfortunes that befell the pioneers of western civilization.

The reader's wonder at the survival of the Red River Settlement gives place only to a feeling of admiration for the qualities of mind and heart that made survival possible. Man and nature seemed to conspire to work the destruction of the colony. The undisguised hostility of the North-West Company, begun in London and continued at Montreal and Fort William, concentrated the efforts of partners and traders upon the overthrow of a scheme ' dictated,' as they thought, ' by a wild and frantic spirit of projection.' The animosity of the Nor'westers did not stop short of an alliance, at once natural and unnatural, with the lawless Métis. Only less vexatious than the frank opposition of the North-West Company was the unsympathetic attitude of the Hudson's Bay officials, which exposed the first arrivals to starvation and forced upon them the hazardous fortunes of the buffalo hunt. The conflict precipitated by the Macdonell pro-

clamation of January 8, 1814, and reaching a climax in the wasteful tragedy of Seven Oaks, exposed the settlers to personal danger, destruction of crops and buildings, and finally exile in the inhospitable North. The death of Lord Selkirk and the union of the rival fur companies freed the colony from the menace of armed foes ; but no sooner did the enmity of man cease than other ills descended upon the unfortunate colonists. For three successive seasons locusts appeared in clouds that obscured the sun, and, swarming upon the fields, turned them into a ' desolate wilderness ' ; and after a few years' respite the river overflowed its banks, carried off houses and barns, and drove back the settlers to the neighbouring heights. The closing decade of the Selkirk régime was marked by a series of experiments—in agriculture, road-making, wool and tallow industries, and the importation of cattle—which, while ending in heavy financial loss, gave evidence of an invincible faith in the final triumph of civilization in a land which the pessimists of the age regarded fit only to be the heritage of hunters and traders.

The character and aims of Lord Selkirk have been a fruitful source of controversy. For many years after his death the public both of Great Britain and of Canada, influenced by a consideration of his obvious errors, which were not few, failed to do justice in their estimation of his life's aim. In Canada the influence of the North-West Company was an all-powerful factor in moulding public opinion. In recent years a reaction has set in, and in some quarters there has been a tendency to make light of Selkirk's blunders in the endeavour to reverse the unfavourable verdict of earlier days. The whole case has been dealt with in this work in a spirit of impartiality, and the narrative leads the reader to share the conviction ' that the abuse of that day was too long left to stain a generous career.' After all, the justification of Selkirk's work lies in the fact that the colony which he founded stood as a bulwark against American aggression and made possible a transcontinental railway and a British dominion stretching from the Atlantic to the Pacific. His prophecy that Western Canada ' might afford ample means of subsistence to more than thirty millions of British sub-

jects,' which when uttered no doubt seemed but the idle words of a dreamer, takes on a new meaning to-day as we review the recent progress of the prairie provinces and back of that the phenomenal growth of the Western United States.

In the period intervening between the Selkirk régime and Confederation special interest attaches to the growth of an agitation against the trade monopoly of the Hudson's Bay Company, which gradually widened into a general opposition to a patriarchal form of government which alone made the continuance of monopoly possible. The fur trade was the life-blood of the company, and no effort was spared to protect the monopoly from the insidious inroads of illicit traffic. From the north the company, controlling transportation, had little to fear; but in the south contact with the 'free traders' of the American States carried the private merchants beyond control. For several years the subservience of the Council of Assiniboia, the questionable use of a volunteer corps, and the presence for a time of a detachment of regulars, upheld the waning influence of the company. The 'free trade' agitation, however, was no more than incidental to a movement that can only be described as a political awakening. The change came with a realization on the part of the settlers that they were being governed by an organization that was concerned with the creation of profits and not with the development of citizenship, and that recognized responsibility to its shareholders and not to the community it governed. A petition to the legislative assembly of Canada bearing no less than six hundred signatures measured the spreading discontent. The arrival of a few aggressive Canadian citizens and the establishment of a printing-press strengthened the cause of freedom. Eastern Canada at last came to realize the value of the West: the press and many public men became insistent in their demand that there should be no western boundary other than the Pacific Ocean. With a new political consciousness stirring in the West and a broader national sentiment growing in the East, it was clear that the Hudson's Bay Company, popular though it was as a commercial organiza-

tion, could no longer exercise the functions of government either directly or indirectly.

That the Red River and Saskatchewan rebellions have attracted so much attention is due probably to the fact that they were the most dramatic incidents in the history of the prairie provinces. The distance of the scenes of the insurrections from the centre of authority explains, if it does not justify, the federal government's ignorance of local conditions and tardiness in dealing with them. Comparatively insignificant as the two risings were—costing no more in human lives than many a modern railway accident—they were not without national import. Nothing could have been more effective in fixing the attention of Eastern Canada upon the West or in arousing the federal authorities to an appreciation of western needs. Moreover, the ready response of the East to the call for volunteers disclosed and strengthened a spirit of national unity.

The establishment of railway communication was at once the condition of British Columbia's entry into Confederation and the *sine qua non* of development in the prairie provinces. The first railway constructed in the West was the old Pembina branch; and over this the first train reached St Boniface on December 9, 1878. To-day, thirty-five years later, the aggregate mileage of the various railway systems operating in the prairie provinces is approximately eleven thousand. The transformation that has taken place between the day of primitive river craft and 'prairie schooner' and the era of modern transportation facilities involves an achievement calculated to stir the imagination of the dullest student of western progress. To-day the prairie country is connected with Lake Superior by three lines of railway; and, while only one of these systems is now in operation east of Port Arthur, it is certain that in the space of two or three years the West will be joined to the East by three transcontinental roads. These, with their network of branch lines running north and south, gridiron that vast area which but yesterday was unmarked save by primitive prairie trails. Nor is this all of the romance of railway building. The completion of the Hudson Bay Railway, an enterprise which

has now passed the stage of mere political speculation, will bring the grain-fields of Western Canada fifteen hundred miles nearer the British markets. The barriers that Nature set up have been broken down, and in the ease of intercommunication East and West are held in a closer bond of unity.

The rapid spread of railways invited immigration on a scale commensurate with the area of the western prairies. In each of the first three decades following the admission of Manitoba to Confederation the population of the prairie provinces doubled ; in the fourth decennial period, the first of the twentieth century, the increase exceeded two hundred per cent, giving a total at the last census of a million and a quarter. It is not so much the present population as the rapidity of recent advances that arrests one's attention and provokes speculation on the vital problem of the assimilation of the many nationalities represented in the steadily widening stream of immigration. Disturbing as the problem is, two facts give assurance that there is no basis for the apprehension that the non-English-speaking elements will predominate in Western Canada. In the first place, an examination of the immigration statistics reveals an overwhelming predominance of immigrants from English-speaking countries. In the second place, expert investigation has established the fact that the present rate of demand will in a very few years exhaust the supply of available homesteads. With the disappearance of the homestead, farms in Western Canada will rise in value, as they did south of the international line, a change which will tend to increase still further the predominance of British and American immigration.

The ' school question ' is peculiarly the heritage—from Eastern Canada—of the Province of Manitoba. The legislation of 1890 brought both Protestant and Roman Catholic schools under the provisions of the Public Schools Act, and enacted that the public schools should be non-sectarian and free. The vigorous protest of the Roman Catholics carried the controversy out of provincial into federal politics. The slight modifications which the exigencies of Dominion politics forced upon the school law of Manitoba made no change

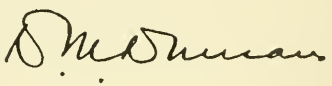
from the fundamental requirement that there should be no segregation of pupils according to religious denominations. The course of events in the territories was more to the liking of the Roman Catholics. The act of 1875 provided that a minority, either Protestant or Roman Catholic, should enjoy the privilege of establishing separate schools and should be liable to assessment of such rates only as were imposed for the support of the same. The federal legislation of 1905, founding the Provinces of Saskatchewan and Alberta, preserved these minority rights inviolate. Whatever be the merits of the question in dispute between Nationalists and Separatists, the fact remains that in Saskatchewan and Alberta the 'school question' has been settled, while in Manitoba, the opinion of embarrassed politicians to the contrary, it is still a live issue. Meanwhile the oldest of the three prairie provinces suffers from the apparently inseparable condition of this unsettled problem ; namely, the absence of a compulsory school attendance law.

While the problems confronting the governments of the prairie provinces during the Confederation period have been mainly of local interest, there have been not a few points at which federal and provincial interests have touched, with results of great moment to both. Notable among these, in the case of Manitoba, were the federal railway policy, with its objectionable features of 'disallowance' and 'land-lock,' and the 'school question.' In the territories the essential condition of progress was the stimulation of immigration, and in this problem, fortunately, federal and local interests harmonized. Triumph in the struggle for responsible government, which called into play the best endeavour of liberal and conservative alike, was the achievement of one short decade. In a shorter period still the territories attained provincial status, which alone could give them the resources adequate to the responsibilities that a rapidly increasing population thrust upon them. The one question of paramount importance remaining unsettled between the Dominion and the prairie provinces is the control of public domain.

For one who reads the history of the prairie provinces as written in this work there is a deeper meaning in the words

uttered by Lord Dufferin on the occasion of his visit to Winnipeg in 1877.

> From its geographical position, and its peculiar characteristics, Manitoba may be regarded as the keystone of that mighty arch of sister provinces which spans the entire continent from the Atlantic to the Pacific. It was here that Canada, emerging from her woods and forests, first gazed upon her rolling prairies and unexplored North-West, and learnt as by an unexpected revelation that her historical territories of the Canadas, her eastern seaboards of New Brunswick, Labrador, Nova Scotia, her Laurentian lakes and valleys, cornlands and pastures, though themselves more extensive than half a dozen European kingdoms, were but the vestibules and antechambers to that, till then, undreamt of Dominion, whose illimitable dimensions alike confound the arithmetic of the surveyor and the verification of the explorer. It was hence that, counting her past achievements as but the preface and prelude to her future exertions and expanding destinies, she took a fresh departure, received the afflatus of a more Imperial inspiration, and felt herself no longer a mere settler along the banks of a single river, but the owner of half a continent, and, in the amplitude of her possessions, in the wealth of her resources, in the sinews of her material might, the peer of any power on the earth.



THE RED RIVER SETTLEMENT

THE RED RIVER SETTLEMENT

INTRODUCTION

THE history of Manitoba is less stirring than that of several provinces of the Canadian Confederation, but it is perhaps not less peculiar than that of any province in the British dominions. Settlement on the Red River was founded by an individual proprietor under the ægis of a disputed charter. It was twice destroyed by men of kindred race, overwhelmed during its early years by almost unparalleled disasters, and developed for two decades under the protection of a private family. It relapsed into the ownership of a monopolistic trading company, which was accused of having 'locked the door upon the settlement and put the key in its pocket'; and finally, after a generation of obscurity, culminating in an inglorious insurrection, it took its place as one of the most promising provinces of the Dominion. It was nearly half a century after the death of its founder that the British government began to see promise in the West, and the Canadian government realized the necessity of extending its boundaries to the Pacific.

It would be less than just, however, to assume that the early history of the province is trivial because the Red River Settlement was small and primitive and far removed from the chief political forces of the age; or that the events surrounding the transfer to Canada were unimportant because much of the controversy was perhaps unwarranted, and is not pleasant to look back upon. The significance of Selkirk's work, it may safely be said, was, out of all proportion, beyond the range of immediate success and largely unaffected by its apparent material failure. The circumstances also under which Manitoba came into Confederation have had a rela-

tionship to vital problems of Canadian politics that is in a measure obvious, but if more accurately estimated can scarcely be said to have been at all adequately realized at that time. It may thus be said that the conflicts which opened both the period of settlement and the era of provincial development derive their importance much less from events to be chronicled than from movements to be traced and estimated. The difficulties of the first period are complicated by the extreme bitterness of the conflict between rival companies in the fur trade; those of the second by the survival of the animosities of the insurrection. To the latter period one is almost too near even yet for perspective. Like the story of the Irish Union, 'it has never passed into history because it has never passed out of politics.'

I

SETTLEMENT

THE Red River Settlement was the third project of Thomas, fifth Earl of Selkirk, for the colonization of British territory in North America by British emigration. Thomas Douglas was born in 1771, the youngest of seven sons of the fourth Earl of Selkirk. The period of his boyhood, youth, and early manhood was filled with stirring events—the War of Independence in America, the volunteer movement, Grattan's parliament in Ireland, the revolution and the rise of Napoleon in France. The fourth Earl of Selkirk was not without sympathy for the cause of reform in Great Britain. Young Douglas, with law as his prospective career, joined the circle at Edinburgh led by Jeffrey, Ferguson, Abercromby, Dugald Stewart, and Walter Scott, the most promising young blood of the university.

Douglas succeeded to the earldom after the death of all his brothers and finally of his father in 1799. It was in 1802, after ten years of travel abroad and unobtrusive interest in social problems in Great Britain, that Selkirk first proposed a national design as the remedy of social unrest. The re-

bellion had been put down in Ireland. The Union of 1800 left four-fifths of the population Roman Catholic and the cause of reform suspended for more than a generation. Emigration would afford a 'radical cure such as military coercion cannot effect.' Selkirk supported his proposals with the offer 'to devote his personal exertions and the best years of his life to the service of his Country in carrying them into execution.'[1] Pelham, the secretary of state, however, was not sympathetic towards 'colonization at all *en masse*'; Hobart suggested that 'settlement should be begun with people more tractable than the Irish.' 'I entirely acquiesce,' wrote Selkirk, 'in the wisdom of your Lordship's suggestion.' Beyond the significant mention of Lake Winnipeg and of the possibility that a 'concurrence of circumstances should lead to the acquisition of territory on the Upper Mississippi,' the correspondence of 1802 has little interest. Pelham consigned the Hudson Bay trade to '*Salutary neglect*, which in such cases beats all the care in the world.'[2] Selkirk turned to Scotland for settlers and to Canada as a field for settlement. The period from 1802 to 1811 was filled with an attempt to deflect Scottish emigration from the Carolinas to Eastern Canada. The rest of his life was given to a struggle for the establishment of settlement on the Red River, at the centre of the North American continent.

The first period is important here chiefly in demonstration of Selkirk's methods. The account of the settlement of eight hundred Scottish crofters from Argyllshire, Ross, and the Isle of Skye, in Prince Edward Island in 1803 is noticeable for the absence of any 'frantic spirit of projection.' The causes of emigration from the Highlands are stated with quiet reasonableness; the difficulties before the pioneer settler are outlined with studied candour. The Highland clansman, driven from agriculture by sheep-farming, was fitted neither for the shop nor for the factory. Emigration to the United States was already prevalent. It was more fatal, wrote Selkirk, 'that a hundred persons should emigrate to the United States, than that a hundred and one should go

[1] *Colonial Office Records*, Canadian Archives, Q 293, p. 176.
[2] *Ibid.*, Q 293, pp. 167, 179, 219, 221, 293.

to our own colonies.'[1] Selkirk accompanied the expedition to Prince Edward Island in person. An opponent, in *Remarks on the Earl of Selkirk's Observations*, admits 'a kind of fascination' in the account of the novel difficulties of distance, of 'savage solitude,' of 'boundless forests,' of unforeseen discouragements. 'It is rare,' wrote Selkirk, 'that any one does not at some time in the course of the first two or three years, feel disheartened and repent of his conduct.' The narrative closes with a note of modest courage. 'I will not assert that the people I took there have totally escaped all difficulties and discouragement; but the arrangements for their accommodation have had so much success, that few perhaps in their situation have suffered less or have seen their difficulties so soon at an end.' 'If the arrangements that have been detailed have any merit, it may all be comprised in this,—that by their means . . . the industry of the individual settlers was allowed full scope to exert itself.'[2]

The expedition to Prince Edward Island was followed by months of travel in Canada and the United States. Selkirk returned to Canada convinced that the loss of the thriftiest crofters of the Scottish Highlands to the United States was to be met by no negative policy with regard to emigration. There seems to have been an attempt to utilize the loyalist sentiment of the upper province. A small settlement was made at Baldoon between Lake Huron and Lake Erie as 'an exclusive National Settlement for people speaking the Gaelic language.'[3] Baldoon, however, never flourished. It scarcely survived the War of 1812, and was eventually swallowed up by immigration from other sources. In comparison with Prince Edward Island it proved unsuccessful as a settlement and costly as an experiment.

At Montreal, the headquarters of the Canadian fur trade, the interest in the West was intensified by the rivalry between the old North-West Company and the X Y Company led by Sir Alexander Mackenzie, whose *Voyages*, published in 1801,

[1] *Observations on the Present State of the Highlands of Scotland, with a View of the Causes and Probable Consequences of Emigration*, p. 207.

[2] *Ibid.*, p. 207.

[3] *Land G. Upper Canada*, pp. 8, 66, etc.

had probably been responsible for Selkirk's early preference for the district of Lake Winnipeg. Selkirk was lavishly entertained by the Beaver Club, the social headquarters of the Nor'westers. The mystery and adventure of a trade which penetrated, by river, lake, and portage, three thousand miles into the interior of the continent, were perpetuated in elaborate ceremonial. The iron rule of the partners was concealed beneath an *esprit de corps* that pervaded the whole company. It happened ten years afterwards that a coalition formed in 1805 between the North-West and the X Y Companies proved to be an implacable opponent of the ruling design of Selkirk's life. The five years after the visit to Montreal, however, were filled with the enterprise already undertaken and with a restless interest in social reform. It was not till 1807 that the idea of colonizing the West began to predominate. Selkirk's marriage in that year to Miss Jean Colvile had a significance beyond the range of personal interest. The influence of the Colviles in the Hudson's Bay Company and the practical instincts of Lady Selkirk herself left their mark upon the affairs of the Red River Settlement.

The Hudson's Bay Company had existed for nearly one hundred and forty years in obscurity and 'salutary neglect' by the government. The territorial rights of the company, granted in the original charter of 1670, had passed through every stage of attack and defence. They were denied by the French, were reduced to a few posts on Hudson Bay by the Treaty of Ryswick, made one of the causes of war by William III, upheld by the Treaty of Utrecht, and recognized, directly or indirectly, by act of parliament during every reign but three from Charles II to Edward VII. Scarcely a clause of the charter, however, had escaped criticism in theory or disregard in practice. British merchants attacked the trade monopoly as early as 1697;[1] Canadian traders disregarded the claims systematically from the first. Trade took place leisurely at the coast; the Indians 'sent or carried their furs regularly to Fort Churchill.'[2] When the Nor'westers began to cut off the Hudson's Bay posts from

[1] *Hudson's Bay Company's Petitions*, 1687-1778, Canadian Archives, M 718.

[2] Mackenzie's *Voyages*, p. xci.

the beaver areas of Athabaska and compelled the company to penetrate into the interior, the competition revealed fatal disadvantages in the older company. The directors in London had other 'avocations of higher interest' than the fur trade; the officials at Hudson Bay received written instructions and received a fixed salary. The North-West partners, on the other hand, embarked their whole fortunes in the enterprise; the trade was carried on under the direct supervision of winter partners; promotion, the trader's goal, depended upon tangible results, with no discriminating inquiry into methods. The Hudson's Bay Company trader was 'hired to trade and not to fight'; he was systematically bullied and browbeaten by the well-trained Canadians, who made use of rum and spirits without scruple, and in 1811 took out by canoe to Fort William from the Hudson Bay territories alone more furs than that company shipped from Hudson Bay. 'The Canadians in the interior,' wrote Selkirk, 'were in the common habit of ridiculing the officers of the Hudson's Bay Company as old women who had not courage even to defend the furs which they had obtained.'[1]

In methods and in personnel the North-West Company presented a complete contrast. For fifty years the fur trade had attracted many of the shrewdest men of the two Canadas, at first in the form of individual enterprise, but after 1783 in the form of a company which till 1810 succeeded in crushing or coercing all opposition. Sir Alexander Mackenzie referred to the trade as 'surpassing . . . anything known in America.'[2] In 1803 'every person of eminence and prominence,' said Edward Ellice, 'was then engaged in the fur trade.'[3] The trade in the interior was supervised by the 'winter partners,' who brought the winter's furs by canoe to the 'summer conference' at Fort William at the head of Lake Superior. Here the various 'brigades' were met by several of the Montreal partners who were entrusted with the supervision of the season's 'campaign.' The compliments of the Montreal partners were interpreted as indications of early promotion; failure in the winter's trade, occa-

[1] *Sketch of the Fur Trade.* [2] *Voyages*, p. xxiii.
[3] *Report from the Select Committee on the Hudson's Bay Company*, 1857, p. 322.

sioned by negligence or lack of courage, received a censure that could be neutralized only by signal daring and success. For secrecy of action, hard, shrewd efficiency, and 'complete unity of purpose' the North-West Company was perhaps the most effective commercial organization that had ever arisen in the New World.

Such were the forces that overshadowed the early years of the Red River Settlement. Selkirk began in 1808 to purchase Hudson's Bay stock with the aim of securing sufficient control to carry the company with him in his project of colonization. The superintendent at York Factory, however, 'entirely neglected the instructions which had been given him respecting the formation of a Colony at Red River.' Selkirk volunteered 'to take upon himself the charge of forming the intended settlement on condition of the company granting him a sufficient extent of land to afford an indemnification for the expense.'[1] In May 1811, at a general court of the Hudson's Bay Company, the directors granted him an area estimated at 116,000 square miles, comprising, in what is now Manitoba, North Dakota and Minnesota, one of the most fertile districts in North America.

The Nor'westers were at first either too self-confident or too incredulous to offer more than a perfunctory opposition, or to heed Sir Alexander Mackenzie's advice to kill competition in London rather than fight it in Assiniboia. 'Had the Company sacrificed £20,000,' wrote Mackenzie, 'which might have secured a preponderance in the stock of the Hudson's Bay Company, it would have been money well spent.'[2] When the Nor'westers awoke to the gravity of the situation, it was too late to thwart the project at headquarters. Protesting in vain that Selkirk's whole scheme was 'dictated by a wild and frantic spirit of projection,'[3] the Nor'westers took measures to defeat both settlement and the company in America. Sir Alexander Mackenzie 'pledged himself in the most unequivocal and decisive manner to

[1] *Correspondence*, in possession of Captain Hope, St Mary's Isle, vol. i. p. 14.

[2] Masson, *Les Bourgeois de la Compagnie du Nord-Ouest*, 'Reminiscences of Roderick McKenzie,' vol. ii. p. 53.

[3] *Narrative of Occurrences*, London, 1817, Appendix I.

oppose the establishment of this colony by all means in his power.'[1] On the day after the grant to Selkirk there was a conference of Nor'westers in London. They hastened to convey their 'unanimous opinion' with regard to 'opposition' and 'a year of trial' to the Montreal partners, and through them to every North-West winter partner and trader from Fort William to the remotest trading-posts of Athabaska.[2] Colonization in the West thus became involved in a commercial quarrel which determined for more than half a century the future of settlement in Assiniboia.

Unexpected obstacles were encountered in the organization of the first party for Red River. Discord between the interests of settlement and fur trade in the Hudson's Bay Company was only less mischievous than the insidious opposition of the Nor'westers. The Inverness *Journal*, inspired by Simon McGillivray, brother of the most influential partner in the North-West Company, denounced the expedition as a 'Utopian project.' A prospectus in which Selkirk sought to enlist financial support in the form of a joint stock company was stigmatized as 'one of the grossest impositions that ever was attempted on the British Public,'[3] though it was 'neither advertised, nor published, nor, in any shape, publicly circulated.'[4] Captain Miles Macdonell, a Glengarry Highlander, once sheriff of the Home District of Upper Canada, was chosen to supervise the settlement. 'I have reason to expect,' he wrote, 'that every means the North-West Company can attempt to thwart it will be resorted to.'[5] The expedition of 1811 was composed only of servants hired to prepare the way for permanent settlement; but protracted delays in reaching the rendezvous at Stornoway left the expedition belated and disorganized. An officious collector of customs, a relative of Sir Alexander Mackenzie, exacted compliance with every vexatious formality; his son-in-law, 'a certain Captain Mackenzie,' left several of the king's shillings with

[1] *Selkirk Papers*, 104.

[2] Simon McGillivray to McTavish, McGillivray, and Co., June 1, 1811, *Correspondence*, St Mary's Isle, vol. i. p. 27.

[3] Dr Strachan, *A Letter to the Right Honourable Earl of Selkirk.*

[4] *Statement respecting the Earl of Selkirk's Settlement in North America*, p. 118.

[5] *Selkirk Papers*, 104.

the wavering passengers. On July 26 the Hudson's Bay captain, 'with hurry and impatience,' put to sea with scarcely more than one hundred men, leaving twenty behind at Stornoway. 'This, my Lord,' wrote Macdonell, 'has been a most unfortunate business. . . . All the men we shall have are now embarked, but it has been a Herculean labour.'[1]

The party seems to have been recruited indiscriminately for the settlement and the fur trade. It comprised men from Glasgow, a number from Ireland, a few clerks, 'turbulent and dissatisfied,' and many from the Orkneys, where the Hudson's Bay service was already a tradition. Edwards was the surgeon; the Rev. Charles Burke, a somewhat erratic priest, had left Killala without the consent of his bishop. After 'an uncommon share of boisterous, stormy and cold weather,' the first ship was signalled at York Factory on September 24. The passage had taken sixty-one days, 'the longest and latest ever known to Hudson Bay.' Too late to push on to Red River, Macdonell was compelled to face the uncertainties of a Hudson Bay winter at the mouth of the Nelson.

From the company's officials the men for the settlement received a 'cold and haughty reception.'[2] Auld, the superintendent, lost no opportunity of girding at the Irish. The men from Sligo, he wrote, were 'constantly quarrelling and fighting'; Macdonell was 'all ardor and contempt of obstacles'; he ventured to suggest to Selkirk himself that he 'had been imposed on.' The encampment for the winter on the north bank of the Nelson, twenty-three miles from York Factory, suffered from the veiled hostility of the traders to the plans for settlement. Macdonell's party consisted at this stage of ten or eleven Glasgow men, a few Highlanders, Orcadians, and Irishmen, thirty-five in all. Those sent to York Factory for provisions 'always returned,' wrote Macdonell, 'with some discouraging story.' A retiring trader whom Macdonell had recruited from the company organized an open insurrection and contrived, in defiance of the governor, to secure supplies of arms and ammunition from sympathizers

[1] *Macdonell Papers*, Canadian Archives, M 155, p. 257.
[2] *Journal of John McLeod*, Canadian Archives, M 201.

at the factory. It was not till June that the 'insurgents,' as Macdonell was careful to call them, made their submission. The band of 'effectives,' however, had by this time been reduced to twenty-two. When the ice ran out in the river, Macdonell assembled his party at York Factory and began to ascend the Hill River, as he wrote to Selkirk, towards 'the land of Promise.'

The expedition reached 'the Forks' of the Red and the Assiniboine Rivers on August 30, 1812. A North-West trading-post, called Fort Gibraltar, stood on the north-western angle of the junction; the settlers pitched their camp on the opposite side of the river, in what is now the city of St Boniface. It was found that the Hudson's Bay traders in the interior had 'not one bag of Pemican,' Macdonell wrote bitterly, 'or any other article of provision reserved for us.' Macdonell took formal seisin from Hillier, a representative of the Hudson's Bay Company, of the grant for settlement, a district of remarkable fertility, traversed from south to north by the Red River and from west to east by the Assiniboine. The patent was read by the governor, surrounded by a guard under arms with colours flying, in the presence of a few Canadian 'freemen' and Indians, and of three of the Nor'westers, who 'did not allow their people to cross.' A salute was fired; 'the gentlemen,' writes Macdonell, 'met at my tent.' The main party then ascended the Red River in search of winter quarters near the pasture-grounds of the buffalo. Macdonell himself, after examining the stream below the Forks for a suitable site for permanent settlement, left a few men at work on a broad point of land which had been denuded of trees by prairie fires a few seasons before, and rode to Pembina to make preparations for a party of permanent settlers that had sailed from Stornoway and Sligo during the summer. An encampment was made on a point of land to the south at the junction of the Pembina with the Red River. Thus began the first formal settlement in Assiniboia.

The second party of servants, with a few permanent settlers, was recruited chiefly in the west of Ireland and the Hebrides. Even there the insistent opposition of the Nor'-

westers was felt. 'In the Highlands,' wrote Selkirk, 'we have met with so much obstruction that I doubt whether it will be effectively overcome unless I go out myself.'[1] The incidents at Stornoway in 1811 were magnified in the Inverness *Journal*, and were skilfully cited where emigration could be most easily thwarted. It is possible to trace this campaign of exaggeration throughout the North-West Company's sphere of operations. Before the first settlers had left the shores of Hudson Bay, a Nor'wester at Lesser Slave Lake had been apprised of the desertions at Stornoway and of the view which the London representatives of the North-West Company chose to take of Selkirk's motives.[2] Owen Keveny, the leader of the expedition of 1812, was a harsh disciplinarian but an officer of 'steadiness, activity and integrity.' Despite an early departure, the voyage proved to be as long as the passage of 1811. McKeevor, the surgeon, afterwards published a modest account of the voyage—the drifting ice-floes, the casual traffic with the Eskimos, the 'rawboned athletic Highlander' pacing the deck with the bagpipes, his plaid 'streaming in the air,' the 'lofty unbending pride' of the Scottish settlers at the sound of the pibroch.[3] Storms and icebergs delayed the arrival at York Factory till August 26. It was not till October 27 that the party reached the Forks, where Macdonell had made preparations to meet them. Little of vital interest survives from this prosaic work of pioneer settlement; and even Selkirk's practical wisdom is easily lost to sight in the stress of larger issues. It was a wise precaution to send the band of 1811, in his own personal employment, to prepare the way for permanent settlers. There was a laudable respect for the obvious and the commonplace. Plans in laborious detail for the prosperity of the settlement, however, were soon overshadowed in Selkirk's correspondence by measures of a different tenor, necessary to ensure existence.

The winter of 1812 at Fort Daer, as Macdonell called

[1] 'Which I have serious thought of doing next year.'—Selkirk to Macdonell, March 24, 1812, *Selkirk Papers*, 292.

[2] John Macdonell to Miles Macdonell, June 27, 1812, *Macdonell Papers*, 149.

[3] *A Voyage to Hudson's Bay during the Summer of 1812*, London, 1819.

his encampment on the Pembina, was an inauspicious augury. 'I have been interfered with,' wrote Macdonell, 'and opposed on all sides.' A North-West post at Pembina was in charge of Alexander Macdonell, a cousin and brother-in-law of the governor. The kinsmen began the winter on good terms, but before the spring there were charges against the Nor'-wester of 'insidious and treacherous conduct during the winter in endeavouring to swerve my people from their duty.' A deserter to the North-West Company was sent back from Fort William 'on the principle that the colony ought to be disorganized on a more general scale.'[1] The winter partners acknowledged the services of the Nor'westers in London against Selkirk's enterprise: 'we are perfectly aware of the trouble you have taken . . . to frustrate his attempt.' 'The N. W. Co.,' wrote Macdonell bitterly to Selkirk, 'tampered with my people. . . . My situation all last winter was uncomfortable in the extreme.' Even a few traders at the Hudson's Bay post in the neighbourhood of Fort Daer 'acted with more hostility than friendship.' There can be no doubt, indeed, that the settlement was being systematically opposed by many of the company's own officials. A rough draft of one of Macdonell's unreserved letters to Selkirk had fallen into the hands of Superintendent Auld. Auld's letters to Selkirk took the form of diatribes against Macdonell's imprudence and his 'hurry in showing his authority,' with enough of truth in the charges to give effectiveness to the malice. Letters from Selkirk to the governor were opened at the coast; a confidential letter, with directions for its return in case of Macdonell's death, was sent back to Selkirk 'in consideration of the worse than mortal incapacity of that person.'[2] In the spring there was more hopefulness in the settlement. 'The country,' wrote Macdonell, 'exceeds any idea I had formed of its goodness. . . . The land is most fertile and the climate most extraordinarily healthy.'[3] The experiences of the winter, however, had been far from pleasant. 'It is not in my power,' he continued, 'to describe to your Lordship all that I suffered last winter from the

[1] *Papers relating to the Red River Settlement*, 1819, p. 160.
[2] *Selkirk Papers*, 836. [3] *Ibid.*, 789, 790.

mean artifices and machinations of those by whom I was surrounded.'

Meanwhile Selkirk's policy of emigration gave promise for the first time of serving a national purpose. Widespread eviction of the Sutherlandshire tenantry during 1812 and the spring of 1813 occasioned general distress that culminated in a few riots and fears of a serious rising. A deputation, sent to seek relief from the government, was about to return empty-handed when Selkirk took up their case with enthusiasm. They determined to emigrate in a body. Selkirk wrote enthusiastically of their thrift and sturdy self-reliance ; of measures for taking one thousand sheep and two hundred head of cattle from Canada to the settlement ; of plans for utilizing the buffalo and for establishing schools in the Gaelic to guard against American influence. 'They are a fine race of men. . . . I care not how little the children are taught of the language of the Yankees.'[1] Applications came in from more than seven hundred. Officials at Hudson Bay, however, were pursuing their furtive policy of obstruction. Less than ten boats could be built for river navigation ; less than one hundred Highlanders could be taken. Continued hostility by the Nor'westers was prolonged by several 'waspish, captious' officials on the Transport Board, who delighted, wrote Selkirk, 'in doing an ill-natured thing.' On June 28, 1813, the *Prince of Wales* put to sea from Stromness.

The voyage to the Straits was one of the shortest on record ; but it was found that fever had broken out for the first time in the history of the Hudson Bay trade. More fatal still was the stubborn mismanagement of the skipper. Captain Turner steered for the nearest port and threw the colonists ashore at Fort Churchill to the mercies of disease and a Hudson Bay winter. The surgeon, Laserre, a relative of Sir Isaac Brock, had been one of the first to succumb. Macdonell waited in impotent rage at York Factory and hoped that Captain Turner would 'be made to smart for his brutal stubbornness.' Auld was scarcely less hostile ; the Highlanders, wrote the superintendent, were 'civilized Caffres' ; Archibald Macdonald, their young leader, was a

[1] Selkirk to Macdonell, June 5, 1813, *Selkirk Papers*, 629.

'stupid fellow,' of 'pride and folly'; Captain Macdonell could not be 'accused of having done even by mistake a single thing right.'[1] The settlers at Fort Churchill, however, fared by no means ill during the winter. Partridges appeared in myriads; fresh provisions were never wanting. The settlers 'were all willing,' wrote Macdonald, though possessed of an indomitable Presbyterian 'aversion . . . to work on Sundays.' Early in April a party of forty-one left their winter encampment at 'Colony Creek' and made their way by sledge and snow-shoe to York Factory. Macdonald describes the line of march, the strongest of the party with sledges beating a trail for the women, while in the middle of the long procession marched the Highland piper. The journey to the settlement was uneventful. When Macdonald with his advance-guard, now of fifty-one,[2] reached the Forks, 'the N. W. Co. proprietors,' he wrote, 'were just taking their departure.' During the preceding winter the settlement had come into open conflict with the North-West Company.

II

CONFLICT

SELKIRK'S policy against the Nor'westers, with regard both to the Hudson's Bay Company and the settlement, was a corollary of his title to the land in Assiniboia. The validity of the charter, it was pointed out, depended upon the success of the company in exercising the rights conferred by the charter. To apply for the support of an act of parliament would have implied an admission that the company was powerless to use the rights already claimed. No stronger evidence could be sought by opponents who assailed the charter on grounds of *non user*. 'It is altogether visionary,' Selkirk wrote bluntly to Auld, 'to look for the aid of the Legislature to support the Company's

[1] *Selkirk Papers*, 511, 851, 856, etc.

[2] Those who had remained at Colony Creek in April found their way to York Factory by sea, and to the settlement in August.

property, and I am surprised that after all the explanation which was given, you can still harp on that idea.'[1] A legal decision, moreover, by process of law in Great Britain was in practice actually impossible. Any infringement by Nor'-westers on 'rights of property' was a civil trespass of which the Privy Council could take no cognizance in the first instance; while an appeal by the Hudson's Bay Company would necessitate the exercise first of their own jurisdiction and then the precarious course of appealing from that contested jurisdiction to a higher tribunal. The Nor'westers, already in possession of the field, 'determined to redress all grievances they may suffer, themselves.'[2] They declined to risk 'a substance in pursuit of a shadow.'[3] And, finally, the courts of common law at Westminster had no jurisdiction over civil trespass in colonial territory, though criminal cases could be tried by statute of Henry VIII.[4] There was no choice for the company, therefore, but to proceed, as best they could, to enforce their own jurisdiction, leaving to opponents the opportunity of appealing to the Privy Council. 'We have a sufficient basis of unquestionable legal rights,' wrote Selkirk, 'if we had physical strength to enforce them for ourselves.' The Hudson's Bay officials realized with dismay that they were expected to cope effectively with the Nor'westers in defence of the colony. It is not difficult to trace their ingenious design of sparing themselves by leaving the conflict to the more enthusiastic governor of the settlement.

It would be less than just to Macdonell to forget that at least two of the considerations upon which the conflict was precipitated were well founded. Throughout Selkirk's correspondence there is no indication of doubt of the 'unimpeachable validity of these rights of property,' the privileges 'that are essential to property in land,' 'the intrusive possession [of the Nor'westers] upon my lands.' 'With respect to our rights of landed property,' he wrote, 'these are universally considered as clear and indisputable.' It may be borne in mind that the possession of Assiniboia in fee-simple remained

[1] *Selkirk Papers*, 401.
[2] *Papers relating to Red River Settlement*, p. 163.
[3] *Selkirk Papers*, 255.
[4] 33 and 35 Henry VIII, cap. 50.

in Selkirk's family till 1834 and in the Hudson's Bay Company till the transfer to Canada in 1870. The second consideration was a well-founded conviction that the Nor'westers were intent upon a policy of breaking up the settlement, and that only by stringent regulations could support be found for the numbers already at the settlement, for the party of Sutherland Highlanders expected from Fort Churchill in the spring of 1814, and for the large expedition expected to arrive with Selkirk in the autumn. North-West brigades from Athabaska to Fort William were provisioned with pemmican from Selkirk's grant. As early as the summer of 1813 Macdonell had proposed confidentially an embargo on supplies obtained in Assiniboia by both companies 'in consideration of the number of people for whom I have to provide subsistence.' 'The North-West Company,' he wrote, 'supply their distant posts with the provisions procured in this district, whilst we to whom the soil belongs are obliged to go to the expense and trouble of importing from Britain part of the subsistence of our people.' On January 8, 1814, Macdonell issued a proclamation prohibiting 'for one twelvemonth' the export of provisions except by licence, and announcing that supplies 'taken for the use of the colony would be paid for by British bills at the accustomary rates.'[1]

The Nor'westers naturally viewed the situation with little sympathy. The enforcement of the embargo in the spring began after the American victory on Lake Erie threatened to cut off the Athabaska canoes from all other sources of supplies. Even the Hudson's Bay Company rebelled against the embargo upon their own pemmican, though there can be no doubt that they had expressed themselves 'strongly in favour of it' for other obvious reasons. 'It was the decided opinion,' wrote Macdonell, 'of every person at York Factory.' The Nor'westers, wrote Auld, 'will bluster and strut a bit, and that will be all.' To the North-West Company, therefore, the measure bore all the marks of partisanship. They could scarcely be expected to distinguish between the interests of the settlement and those of the Hudson's Bay Company when Macdonell himself consented to act as the protagonist

[1] *Papers relating to Red River Settlement*, pp. 10-11.

for the charter. The proclamation was interpreted as an unscrupulous attempt to inflict a mortal blow upon the North-West Company.

For a time the local North-West officials were abashed and disconcerted; though the winter partners, not so easily daunted, received news of the proclamation with incredulity and astonishment. Trading for pemmican from the half-breeds on the plains went on in ominous silence. The Nor'-westers found ready means of turning their kinsmen and customers into allies, with fatal results, it will be seen, to the colony. Sledges were sent to bring out the pemmican from the hunting camps. It became evident that there would be a general resistance. In the spring the embargo developed into a system of general seizure. There would be no pemmican for the settlement unless it were taken by force. Nearly one hundred bales were 'cached' by the Nor'westers and were found by 'Sheriff' Spencer only after days of humiliating search. At La Souris the Nor'westers lodged four hundred bales for safe keeping within the fort. The 'sheriff' presented a warrant, and upon being denied entrance, broke through the stockade and drew the staples on the hangar doors. The pemmican was carried to the Hudson's Bay post or taken to the Forks by the governor in force. Reprisals followed when the Athabaska traders came down the Saskatchewan. Duncan Cameron seized a Hudson's Bay trader 'on a charge of burglary.' The governor, refusing to 'yield a peg,' seized a chest of arms from North-West canoes 'until the aspect of hostilities subside.'[1] The forces of the settlement, however—eighty-eight men—were soon opposed by one hundred and twenty Nor'westers under John Mc Donald of Garth, a veteran of the conflict with the X Y Company. Macdonell agreed to a compromise. 'Rather than come to extremities' the Nor'westers gave up two hundred bags of pemmican and promised seventy-five others, if necessary, during the ensuing winter. The North-West brigades went up the Winnipeg for the summer conference at Fort William.

Alexander Macdonell, 'close-minded and designing,' had taken the news from the Forks by 'light' canoe. The

[1] *Selkirk Papers*, 940.

Montreal partners discussed the situation in secret conclave. William McGillivray, justice of the peace, lieutenant-colonel, legislative councillor of Lower Canada, a veteran of thirty years' experience in the fur trade, declared it was 'the first time the North-West Company has ever been insulted.' McDonald of Garth, a partner and brother-in-law of William McGillivray, was censured for compromising instead of fighting.[1] The trader at Fort la Souris was told he had acted like a coward.[2] Alexander Macdonell, resenting the browbeating, thought it necessary to call out his man. 'Tearing people to pieces,' he wrote, 'seems to be the order of the day.'[3] 'I assure you, my friend,' wrote Archibald Norman McLeod, the partner second in importance to McGillivray, to Duncan Cameron, 'it will take years of active and persevering industry to do away with the impression made by the unfortunate compromise of our honour at Red River.'[4]

The 'campaign' was organized with characteristic resourcefulness. The task of expunging the 'compromise of honour' at Red River was assigned to Alexander Macdonell and Duncan Cameron, still suffering under the displeasure of the Montreal partners. Of the design there can be no manner of doubt. 'All the black sheep,' wrote Macdonell at the summer conference, 'were to be turned out . . . matters were to be carried with a high hand, and the concern to retrieve their honour.'[5] To Cameron was entrusted the task of luring away the settlers, passage free, to Upper Canada, by North-West canoes.[6] Convenient warrants were supplied by McLeod as justice of the peace. The governor himself was to be taken prisoner. Despite the usual absence of written instructions, a letter from Alexander Macdonell fell into the hands of opponents. 'You see myself,' he wrote, 'and our mutual friend Cameron, so far on our way to commence open hostilities against the enemy in Red River; much is expected from us. . . . Something serious will undoubtedly take place. Nothing but the complete downfall

[1] *Selkirk Papers*, 9008.
[2] *Papers relating to Red River Settlement*, p. 159.
[3] *Selkirk Papers*, 9006. [4] *Ibid.*, 8604. [5] *Ibid.*, 9007.
[6] *Papers relating to Red River Settlement*, pp. 159, 160, etc.

of the colony will satisfy some by fair or foul means. A most desirable object if it can be accomplished, so here is at them with all my heart and energy.'

Meanwhile the governor found the result of the proclamation altogether illusory. Auld, after the failure to 'drive the Northwesters out of the river,' now threw off the mask. Macdonell, worn out by illness, wrote bitterly of Auld's 'policy and intrigue,' and begged Selkirk not to be 'prevented from any delicacy' from sending out another governor for the colony. Returning health and Selkirk's generous letters of prudent advice and considerate reproof re-established his courage; but when he arrived at the Forks with a party of fourteen new settlers by the ships of 1814, it was found that Cameron had already served the 'sheriff' with one of McLeod's warrants and had carried him off by river to Fort Gibraltar, in defiance of the settlers on the river-bank. 'Captain Macdonell, on learning the fate of his sheriff,' wrote Cameron, nearly lost 'the use of his senses.'[1]

The North-West campaign, however, involved a preliminary attempt to win over the 'freemen' and half-breeds. This task Alexander Macdonell accomplished with adroitness and dispatch. The 'freemen' were voyageurs, already disciplined in North-West canoes and allowed to settle in the interior among the Indians. Of the Métis or half-breeds, the most promising were North-West clerks or interpreters, many of them trained in Montreal counting-houses. All were inspired with the 'North-West spirit.' On the Turtle River plains the mounted Métis 'ran' the buffalo in defiance of the governor's injunction, and for six days imprisoned the governor's messenger. Macdonell himself 'could only get two or three of the camp men to come near.'[2] A truce was at last arranged, but the Métis had taken sides unmistakably against the settlement.

At the Forks, Cameron appeared in the uniform of Major McLeod, as 'Commanding Officer R.R.' in the Voyageur Corps, which had been disbanded in March 1813 by a general order of General Prevost. The Highlanders, 'ready to fire'

[1] *Selkirk Papers*, 8745.
[2] *Papers relating to Red River Settlement*, p. 31.

when their sheriff was taken, had been restrained by the timidity, 'not to say cowardice,' of their officers;[1] they began to think 'that they had not law on their side.'[2] Cameron followed up his advantage by dispensing indiscriminate hospitality at Fort Gibraltar. The Highlanders were enticed by the fluency in Gaelic, the assurance and genial *bonhomie* of 'Captain' Cameron; by the dancing, the bagpipes, the prolonged festivities of the winter. In January the governor was called away by the ominous hostility of the half-breeds. Cameron approached two of the settlers with an offer of a free passage, provisions, and with a promise of land in Upper Canada. 'I have no interest whatever,' he wrote, 'in making you this promise—but what humanity points out to me.'[3] The governor, apprised of the 'turbulent state below,' hurriedly returned to the settlement, only to find that Cameron had induced a few of the settlers to break open the storehouses and to draw on sledges to Fort Gibraltar the field pieces upon which Macdonell depended for the defence of the colony. Cameron shook hands with the ringleaders of the defection and 'gave them a dram all round in his big room.'[4] Promises of reward were tempered by predictions of destitution in that 'accursed country.'[5] The main object was now no longer concealed. 'This spring,' wrote a Nor'wester from Portage la Prairie, 'must decide the entire ruin of the colony.'[6] 'Now or never, Cameron,' urged Alexander Macdonell.[7] Half-breeds passed the settlement 'night and day singing Indian War songs.' Settlers were disarmed, a few houses were plundered, women and children were terrified. The Métis began for the first time to dispute the possession of the soil—a claim of which Canadians in retribution were to pay the price in the insurrection of 1869. The Nor'westers insisted upon the governor's surrender. 'No terms,' wrote Macdonell, 'would be made with me.' On June 16 another winter partner arrived with reinforcements. Macdonell was forced to

[1] *Selkirk Papers*, 2004.
[2] *Ibid.*, 2030.
[3] Cameron to Donald Livingston and Hector McEachern, *Ibid.*, 8854.
[4] *Ibid.*, 2029.
[5] *Ibid.*, 8709.
[6] *Ibid.*, 1687.
[7] *Ibid.*, 9028.

capitulate 'for the safety of the colony.' The Nor'westers, however, were not content with half-measures. Crops were trampled down; the storehouses, the colony mill, stables and barns were burnt to the ground. Cameron took his prisoner to Fort William. The settlers who remained loyal to Selkirk were driven from the settlement and found their way to Jack River by way of Lake Winnipeg. The rest, 134 men, women, and children, went towards Canada in North-West canoes. One of the party was recommended by Duncan Cameron for £100 as 'a great partisan who often exposed his life for the N. W. Co.' The ringleaders never found their way again to the Red River Settlement. At Fort William Cameron was the man of the hour. McLeod commended 'energy and ability.'[1] 'I am happy to inform you,' wrote Simon McGillivray, 'that the colony has been all knocked in the head by the N. W. Co.'[2] At the Forks, four of the settlers, contriving to evade the general expulsion, cared for the crops as best they could and awaited reinforcements from Hudson Bay.[3]

Selkirk had never abandoned his purpose of establishing the colony in person. He reached New York in the autumn of 1815 only to hear of the destruction of the settlement. Reinforcements already on the way to Red River retrieved the disaster; but Selkirk had exhausted in vain every expedient to afford adequate protection. As early as June 1815 judicial regulations had been submitted for the approval of the Colonial Office; they were consigned to the law-officers of the crown, and all the repeated requests of the company proved powerless to procure a decision.[4] Bathurst, the colonial secretary, pronounced the whole scheme 'wild and unpromising.' A request for military protection at the expense of the company by way of Hudson Bay was refused;[5] and though Bathurst yielded to Selkirk's importunity for some measure 'of precaution and police' for the settlement,

[1] *Selkirk Papers*, 8608. [2] *Ibid.*, 1868.

[3] John McLeod, Archibald Currie, Hugh McLean, and James McIntosh.—*Journal of John McLeod*, Canadian Archives, M 201.

[4] *Selkirk's Letter to the Earl of Liverpool*, p. 16.

[5] *Selkirk Papers*, 4506.

the instructions to Governor Drummond in Canada[1] were such as to invite frustration by the vigilant Nor'westers. Drummond consulted his North-West councillor. On the very day that the Métis were completing the devastation of the settlement, McGillivray, with 'feelings of indignation,' denied 'in the most solemn manner, the allegations whereon this shameful accusation is founded.'[2] Drummond informed Bathurst that any protection for the settlement was 'decidedly impracticable.'[3] The company and settlement, left to their own resources, were powerless to prevent the outcome.

The reinforcements were directed through two channels. With the expedition of 1815, Robert Semple, cultured and humane but over-confident and uneven in judgment, came out as the new governor of the colony. The voyage was the shortest, the most orderly, and the most promising of the Red River migrations. 'Perhaps the same number of people under the same circumstances never landed on a foreign shore in higher health and spirits.'[4] The new settlers, chiefly from Sutherlandshire, were of the race that had attracted Selkirk by their thrift and astonished Keveny by their Presbyterian observance of Sunday. At York Factory the governor was apprised of the expulsion of the settlers. A little daunted by the 'lawless ferocity' of the Nor'westers, Semple pressed on to re-establish the settlement.

Meanwhile reinforcements for the fur trade had been dispatched from Montreal, whence Colin Robertson had been urging upon the directorate, since 1813, the necessity of fighting fire with fire—of contending with the Nor'westers from North-West headquarters by means of Canadian traders and *batailleurs*. Robertson, with an advance-guard of twenty men, found desolation at Red River except where John McLeod and his little garrison had begun the new Fort Douglas a few hundred yards below the Forks. Pressing on

[1] 'That you may make the necessary inquiries as to the grounds of the fears expressed . . . and in the event of your considering them to be founded, furnish such protection and assistance as can be afforded without detriment to his Majesty's service.'—Bathurst to Drummond, March 8, 1815.

[2] William McGillivray to Harvey, June 24, 1815.

[3] *Papers relating to Red River Settlement*, p. 4.

[4] *Selkirk Papers*, 1664.

' with usual impetuosity of mind ' to Jack River, he led the loyal settlers back to Red River, to begin again from the ashes of their ruined houses. Fort Douglas was nearly completed ; a prolific harvest of wheat, despite the ' expulsion,' dispelled all fears of privation for the coming winter ; buffaloes were never so numerous. November 3, the day on which Semple and his party arrived, was given up to unwonted rejoicing. ' The colours were hoisted,' wrote Semple, ' the guns were fired, at night we laughed and drank and danced.' Semple led one party to Pembina for the winter ; Colin Robertson took up his position at the Forks.

It became apparent to the Nor'westers that the dispersion of the colony in the spring was not to be the end. The ' campaign ' for the following winter began with a methodical attempt to organize the Métis. Cuthbert Grant, a daring and resourceful young half-breed, was ' appointed Captain General of all the Half Breeds in the Country.' The plan succeeded only through the energy of the North-West recruiting agents. ' The Freemen are all rascals,' wrote Alexander Macdonell, ' and a few of the Half-breeds little better.' At Qu'Appelle they were directed to ' prepare for the field ' ; at Moose Lake they were urged to ' join in extirpating those miscreants out of the Country.' ' You will see some sport in Red River before the month of June is over,' wrote Alexander Macdonell. ' It must end,' said Laughlin M^c^Lean, ' in some sickly work in the long run.' Cuthbert Grant hoped to ' come off with flying colours and never see any of them again in the colonizing way in Red River.' ' I am happy to inform you,' he wrote, ' that they are all united and staunch and ready to obey our commands.' During the winter the Nor'westers, responding to M^c^Gillivray's hope that ' the Ancient *North West spirit will rouse with indignation*,' swept all before them in the fur trade. Early in May Cuthbert Grant seized a brigade of six boats descending the Assiniboine and used the captured provisions for the expedition against the settlement. Brandon House was plundered ' in great triumph.' At Portage la Prairie reinforcements arrived, and the war-party followed the river towards the settlement.

At the Forks, Semple, on his return from winter quarters at Pembina, was apprised of the hostile preparations through the aggressiveness of Colin Robertson. On March 19 Robertson had marched to Fort Gibraltar and carried off Duncan Cameron for trial in England. Finding a letter by Cameron urging a 'hostile visit' by the half-breeds and suggesting 'good booty if they went cunningly to work,' Robertson intercepted the express canoe of the North-West Company and without ceremony opened all the dispatches. 'A more complete disclosure of plans of deliberate villainy,' wrote Semple afterwards, 'has never yet met my eye.'[1] Semple caused Fort Gibraltar to be demolished and the stockades 'rafted' to Fort Douglas. Robertson, with Cameron under arrest, left for York Factory in protest against 'those incautious measures which had a great tendency to produce the destruction of the Colony.'[2] 'Governor Semple,' he wrote, 'was told that his name and his presence would do everything.'[3]

From the mass of evidence bearing upon the affray of 'Seven Oaks,' the object of the expedition is to be traced with little uncertainty. There are specific instructions from North-West partners at Fort William to agents in the interior to 'assemble as many of the Indians as you can by any means induce to go to the Red River to meet us there. . . . We shall be there about the 17th of June.'[4] Letters from Robert Henry after the event are even more conclusive. 'I thank Providence,' he wrote to his uncle, 'that the Battle was over before we got there, as it was our intention to storm the Fort.'[5] Cuthbert Grant, it would seem, sought to pass Fort Douglas without a conflict, and to place his forces under the command of McLeod and the Fort William expedition ascending the river for an attack upon the settlement. On the evening of June 19 the Métis, leaving the Assiniboine four miles above

[1] *Selkirk Papers*, 2180.

[2] *Ibid.*, 4339. Semple and Robertson 'were not upon terms of intimacy.'—*Ibid.*, 2737.

[3] Robertson to Selkirk, *Ibid.*, 3033.

[4] 'They shall be well and fully recompensed for their trouble.'—A. N. McLeod, Robert Henry, and John McLoughlin to Grant and Morrison, *Ibid.*, 8612.

[5] *Ibid.*, 8729.

Fort Douglas, took a line of march over the prairie in order to reach Red River about two miles below the Forks. When they were sighted from the watch-tower of Fort Douglas, Governor Semple with about thirty men issued from the fort, and, advancing along the Colony Road, now Main Street of the city of Winnipeg, threatened to intercept the Métis on their way to the river-bank. A few settlers, terrified by the half-breeds, were met in flight to Fort Douglas. When the governor came into view, Grant extended his line beyond the settlers on the left, while the right wing outflanked the colonists and began to drive them back upon the river. The governor was soon surrounded 'in the shape of a half-moon or half-circle.' A Frenchman, Boucher by name, 'waving his hand and calling out in broken English,' rode out from the ranks and engaged in an angry discussion with the governor. Semple with almost incredible rashness seized his opponent's rifle. There was a shot and then a general fusillade. Lieutenant Holte of the settlement was the first to fall. 'In a few minutes,' says Pritchard, 'almost all our people were either killed or wounded.' What followed was massacre and mutilation. Semple was wounded in the thigh. An Indian, seeing the governor upon the ground, 'shot him in the breast and killed him on the spot.' Twenty-one of the settlers were killed; the rest were taken prisoners or escaped in the darkness. Only one of Grant's men fell in the engagement. The settlers still within the fort thought of their defenceless families. Inventories were drawn up and terms arranged for surrender. 'The Fort,' says Pritchard, 'was delivered over to Cuthbert Grant, who gave receipts on each sheet of the inventory signed "Cuthbert Grant acting for the North-West Company."' On the evening of June 22 'all proceeded down the river—the settlers a second time on their journey into exile,' in bereavement and despair. Many of the Métis were 'well and fully recompensed,' in fulfilment of McLeod's promise.[1] A list of the others, with the intended rewards in readiness, was found by Selkirk at Fort William. The expedition under McLeod took possession of Fort Douglas. The governor's quarters were given

[1] *Selkirk Papers*, 8612.

over to a celebration of the victory. The tale of 'Seven Oaks' appeared in rude verse that is still sung by the French Métis nearly a century after the rivalry between the two companies was quenched by coalition.

III

THE SELKIRK RÉGIME

WHEN the affray of Seven Oaks took place, Selkirk had already devised protection and reinforcements for the settlement and was on the way to Red River. Two regiments, composed chiefly of Swiss mercenaries, had been disbanded after the War of 1812. Selkirk induced a few of the ablest officers and about a hundred of the men—called de Meurons after their commanding officer—to settle at Red River. Early in May Miles Macdonell, now liberated from custody, was sent in advance with instructions to evade the Nor'westers. By June 17 Selkirk himself was ready to embark. Sherbrooke, the new governor, was so far from hostile that Selkirk was made a justice of the peace and was even granted a personal escort of seven regulars from Drummond's Island. Still ignorant of the disaster of June 19 and anticipating 'every obstruction' from the Nor'westers by the regular route, he chose the route by Fond du Lac, River St Louis, and Red Lake. The future of the settlement seemed assured.

At Sault Ste Marie the news of Seven Oaks shattered the 'pleasing visions' of a future province. Miles Macdonell received the intelligence at Lake Winnipeg and returned with all haste to apprise Selkirk that speed and secrecy were now unavailing. Of Selkirk's original aims there can be no doubt.[1] After Seven Oaks, however, there could be no supplies to meet him at Red Lake and no resources for his support even could he reach Red River without them. Hudson's Bay men were kept prisoners at Fort William by those who

[1] Selkirk to Miller, February 22, 1817 (marked 'Not Sent'), *Selkirk Papers*, 3178, etc.

were implicated, in Selkirk's conviction, in a system of inhuman outrage upon their countrymen at Red River. Efforts were made to induce two justices of the peace for Upper Canada to effect the arrest of the North-West partners at the summer conference. When they declined the office, Selkirk dispensed with caution and sailed straight for Fort William, determined to act himself in his capacity of magistrate. Twelve bateaux put ashore a mile above Fort William on August 12.

It will not be possible to discuss here the ethics of Selkirk's seizure of Fort William—the liberation of Hudson's Bay prisoners, the arrest and dignified submission of McGillivray and the North-West partners, the discovery of conclusive evidence that North-West partners and agents were responsible for the campaign against the settlement. The transactions with Daniel McKenzie for the purchase of supplies were seized upon by North-West partisans to deluge Selkirk's name with obloquy. Selkirk's own counsel were the first to deplore the specious and invalid agreement for submitting the controversy to arbitrators to be appointed by the lords chief justices of King's Bench and of Common Pleas at Westminster. Selkirk himself wrote of 'wretchedly ill-judged conduct.' 'I have been guilty of great imprudence.' Self-reproach, however, was no atonement for 'the great mistake.' One fatal result involved the settlement in the ultimate defeat of its founder. The Nor'-westers lost no time in procuring a warrant for Selkirk's arrest from a magistrate at Drummond's Island. The signature was written irregularly; the warrant itself 'in a fair Clerk-like hand.' It was accompanied by no letters or credentials. It was served by a stranger whose journey of five hundred miles over fresh water in winter did not harmonize with Selkirk's experience of Upper Canadian officials. Information, moreover, was received that Keveny, who had submitted to a North-West warrant, had been most brutally murdered by Charles Reinhart, who confessed the crime and was afterwards formally convicted at Quebec. Selkirk treated 'the Warrant as a trick and the pretended constable as an impostor.' The Colonial Office was informed with all speed that

Selkirk had resisted arrest. It is necessary to bear in mind, in interpreting the results of the inquiry by commission and of the litigation that virtually brought Selkirk's life to an end, how far colonial courts, crown officers, commissioners, and minor officials could disregard instructions from Bathurst which bore all the weight of indictment, verdict, and sentence combined. 'You will . . . without delay,' wrote the colonial secretary on February 11, 1817, 'take care that an Indictment be preferred against his Lordship. . . . By resisting the execution of the Warrant issued against him, Lord Selkirk has rendered himself doubly amenable to the Laws. . . . Surrounded as Lord Selkirk appears to be with a Military Force which has once already been employed to defeat the execution of legal process, it is almost impossible to hope that he will quietly submit to the execution of any warrant against him so long as an opening is left for effectual resistance.' In case Selkirk refused to submit, Bathurst proposed to apply to parliament for 'some special measure of severity with respect to his Lordship.'[1] It was after more than a year of inquiry and litigation that Selkirk accidentally ascertained the existence of these official instructions from Downing Street. In the meantime he had been charged at Sandwich, Upper Canada, in compliance with these explicit instructions from the Colonial Office, with resistance to legal process. For the offence that occasioned Bathurst's dispatch Selkirk was bound in recognizance of £50, and when the case came up the indictment was thrown out by the Grand Jury.[2]

The winter of 1816 began with Selkirk in full possession of Fort William and the Nor'westers in possession of Fort Douglas. In December a party of twenty-seven men, with two small guns on sledges, marched on snow-shoes from Rainy Lake against the Nor'westers at Red River. Miles Macdonell describes, in characteristic martial language, the arrival at Silver Heights, the night attack, the early 'morning fine with moonlight.' Fort Douglas was 'invested and carried by escalade. . . . All was quiet in our possession before day-

[1] Bathurst to Sherbrooke, Lower Canada, G 19, p. 62, Canadian Archives.

[2] Attorney-General's Report, Upper Canada, Q 325, p. 43, Canadian Archives.

light, when the Company's flag was hoisted on the staff.'[1] Sixteen Nor'westers were taken prisoners. Macdonell proceeded, with no excess of scruple, to re-establish control over the Red River district. In the spring the settlers returned a second time from exile. A commission had meanwhile been appointed to report upon the whole conflict. Selkirk's arrival with the de Meurons settlers gave promise of peace if not of plenty. A voluminous correspondence, ranging from descriptions of Italian gardening to almost the last letter he ever wrote, discloses an assiduous interest in the practical problems of agriculture 'as practised with singular success on a scale of uncommon extent'[2] upon his own estates. There are instructions for the growth and storage of wheat at Red River, for an attempt to domesticate and utilize the buffalo, for the care of Spanish sheep, for the introduction of cattle from the United States, for an experimental farm on the Assiniboine, for prizes for the best results among the settlers. For a few months only—in Prince Edward Island in 1803 and at Red River in 1817—Selkirk appeared in the rôle that seems to have inspired his plans for settlement. His supervision for four months at Red River passed into a tradition that still survives. Sites for church and school, 'public roads, by-roads, bridges, mill-seats and other important points were settled.' 'So correct and unerring was his judgment,' writes Sheriff Ross, 'that nothing planned at this early date could in after years be altered to advantage.' Despite ruinous losses—amounting in eight years to £114,000 —all payment for land by settlers was relinquished. The Indians made treaties with the 'Silver Chief.' There is a sense in which these obscure months must be considered the practical consummation of a lifetime. Seldom has immediate reward been so paltry, the outlay so enormous, and ultimate vindication of practical foresight in the resources of the Canadian West at once so complete and so tardy.

The failure to effect from the commissioner at Red River an unqualified recognition of Selkirk's 'rights of property' was an augury of the struggle that filled the following three

[1] *Selkirk Papers*, 3233.

[2] Selkirk to Pelham, Q 293, p. 170, Canadian Archives.

years. Selkirk wrote bitterly of the government's inflexible policy of indecision ; while Selkirk's counsel with remarkable astuteness surmised ' that orders have been received from England.' [1] Selkirk's departure from Red River on September 9 had an ominous significance for the settlement. The litigation in Canadian courts and the struggle for vindication in Great Britain left the colony stranded for half a century above the current upon which Selkirk had hoped to launch it. Selkirk's death in 1820 seemed in itself a disaster. It will scarcely be necessary here to trace the forces that led to the coalition of the two companies in 1821. Against that coalition Selkirk had directed all the energy of his remaining strength. ' I would reckon it immoral as well as disgraceful,' he wrote, ' if it were done from any views of pecuniary advantage. . . . With respect to giving up the settlement or selling it to the North-West, that is entirely out of the question. I know of no consideration that would induce me to abandon it. I ground this resolution not only on the principle of supporting the settlers whom I have already sent to the place, but also because I consider my character at stake upon the success of the undertaking and upon proving that it was neither a wild and visionary scheme nor a trick to cover sordid plans of aggression.' [2] It was inevitable that Selkirk's name should be left, while the memory of the conflict survived, without a vindication, in the interests of a not very creditable political expediency. Even in 1857 the most prominent of the old Nor'westers confessed only half-apologetically to the early ' libel upon the Hudson's Bay Company.' [3] It is borne in upon one that the abuse of that day was too long left to stain a generous career, and that it has not yet, perhaps, been removed from the general estimation of Selkirk's work. The significance of that work, though apparent to Selkirk's vision, was not grasped for half a century either by Canada or by Great Britain. It was forced upon them only when American expansion northward and westward threatened to engulf the one vested interest which during fifty years of

[1] Gale to Lady Selkirk, *Selkirk Papers*, 3667.

[2] Selkirk to Colvile, *Correspondence*, St Mary's Isle, vol. vi. p. 966 a.

[3] *Report from the Select Committee on the Hudson's Bay Company*, 1857, p. 346.

obscurity safeguarded the possibility of a British and trans-continental dominion. Selkirk's mistakes were not a few, but they were obvious and self-confessed; and though the ruling plan of his life was for eight years obscured by an ignoble quarrel in which it may be said both his enemies and many of his allies fell below his own standard, that plan emerges unshaken and untarnished in almost the last letter he ever wrote. A passage in the *Sketch of the Fur Trade* forms perhaps one of the most remarkable prophecies of that century. 'If these regions were occupied by an industrious population, they might afford ample means of subsistence to more than thirty millions of British subjects.'[1]

Within a week after Selkirk's departure from the settlement, as though to presage the future, a heavy frost followed by a violent hurricane destroyed almost all the available supplies for the winter. The settlers were forced again to rely upon the buffalo.[2] The next decade was filled with disasters that might have shaken the faith of Selkirk himself in the future of settlement in the Red River valley. In 1818 locusts appeared in clouds that obscured the sun, and swarmed upon the fields to the depth of several inches. Wheat, stripped of all verdure, a few potatoes and 'ears of barley, half-ripe, gleaned in the women's aprons' were all that remained of a promising harvest. The settlers, driven once more to Pembina for the winter, suffered again the 'endless misery of providing for themselves and their families among savages.' For three years the pestilence became a 'sickening and destructive plague.' The locusts devoured the blades of wheat, the very leaves from the trees. 'The water was poisoned with them.' Only by an overland journey on snow-shoes to the Mississippi and an early return by flat-boat to the settlement could two hundred and fifty bushels of grain be obtained for seed, at a cost of more than £1000 to the Selkirk estate. The de Meurons about Fort Douglas and across the river on the Seine seem to have abandoned themselves to a life of indolence and disorder. Even the young Scottish settlers, despairing of the soil, turned to the buffalo, the snow-

[1] Second edition, London, 1816, pp. 123-4.
[2] *Selkirk Papers*, 4156.

shoe, and the dog-train. A few French-Canadian families with two Roman Catholic missionaries arrived in 1818 to share the disasters of the colony and to swell the numbers at Pembina. Scarcely had the locusts disappeared when a party of Swiss, recruited by an officer, de May, who had 'certainly not done his duty conscientiously,'[1] arrived by way of Hudson Bay. 'As to character,' says Ross, 'they must have proved an acquisition to any community, being a quiet, orderly, and moral people.' Red River, however, was scarcely a retreat for 'clock-makers, pastry cooks and musicians.' The Swiss, fraternizing as best they could with the burly de Meurons of 'German Creek,' for five years eked out a precarious existence in poverty and privation. The settlement seemed doomed to perennial disaster. The company's officials were unfriendly; the directorate was not enthusiastic. Governor Simpson, the wary and capable young governor of Rupert's Land after the coalition, wrote that the settlement was becoming injurious to the company and without better regulations would 'ultimately ruin the trade.'

Finally in 1826 adversity culminated in a disaster which left 'all former reverses . . . scarcely worthy of notice.' The heavy snowfall during the winter drove the buffalo from the neighbourhood; no less than thirty-three of the plain-hunters, struggling back to Pembina or to the settlement, perished of starvation or exposure. When the ice ran out in the spring, the river rose nine feet in twenty-four hours. Two days later the flood swept over the banks and the settlement was buried beneath an inland sea. Houses, cattle, and farming implements were swept away; 'the de Meurons,' says Ross, 'fed us with our own beef at 3d. per pound.' 'This,' wrote Governor Simpson, 'I consider an extinguisher to the hope of Red River ever retaining the name of Settlement.' When the water subsided, many of the French returned to Canada; a migration of the Swiss and de Meurons took place to the United States. The company, nothing loath, sped their departure with provisions for the journey. The older settlers

[1] Simpson to Colvile, *Selkirk Papers*, 7380.
[2] Ross, *Red River Settlement*, p. 77.

resolved, for the fourth time within fifteen years, to begin anew at Red River.

Selkirk's executors meanwhile can scarcely be charged with parsimony in the management of the settlement. The experiments that filled the years after Selkirk's death seem to have exhausted the range of the country's resources. 'Hayfield' experimental farm was one of Selkirk's favourite projects for the introduction of scientific agriculture at Red River. Barns and stables, choice stock, costly quarters for skilled overseer and farm labourers swelled the enormous expenditure. 'Mismanagement, disappointment and ruin were the only result.' Some of the buildings were burnt to the ground, and the undertaking was abandoned in 1822. The loss to the Selkirk estate was estimated at more than £2000. Attempts to establish relay stations for a winter road to Hudson Bay resulted in incompetency and failure. Perhaps the most noteworthy of all the fatuous schemes of fortune was the Buffalo Wool Company, which was organized with the support of Governor Simpson, and was under the energetic patronage of Lady Selkirk herself. Prolonged experiments with the hair of the buffalo were made by British weavers; the buffalo shawl, through Lady Selkirk's influence, promised to become an article of fashion. Almost the whole settlement embarked in the enterprise, 'with as much confidence,' says Ross, 'as if the mines of Potosi had been at their doors.' The farmer 'threw aside the hoe and spade to join the plain-rangers,' in anticipation of fabulous profits. There were skilled artisans from Great Britain, 'curriers, skinners, sorters, wool-dressers and bark-manufacturers.' 'If the business were properly managed,' wrote Governor Simpson, 'I have not a doubt of its turning out well.'[1] Increased prices, however, were paid for hides and recklessly high wages to the operators at a time when the farm labourers received two shillings a day. What with reckless expenditure, much tippling, and natural obstacles, by no means few, to economic thrift in so remote an enterprise, the company collapsed in 1825. The capital was all consumed; the Hudson's Bay Company, as bankers, lost as heavily as the shareholders.

[1] *Selkirk Papers*, 7392.

The cost of producing cloth which sold in London for 4s. 6d. was estimated at two guineas.

The one virtue of the Buffalo Wool Company, says Gunn, was that it 'enabled the settlers to obtain a little money at the right time.'[1] Cattle, brought on speculation from the United States, found a ready market. The experiment was repeated with such success that the cattle at pasture at Red River, wrote the governor, came to 'resemble herds of Buffalo.' The Buffalo Wool Company, however, was followed by other plans of less splendid but scarcely more trustworthy promise. Cultivation of flax and hemp was encouraged by generous distribution of seed and by prizes for the best results. A tallow company, having contended for two years against the wolves and inclement winters, finally sold their herds by auction. An attempt was made to bring sheep from Missouri and Kentucky. More than one thousand perished on the way from over-driving or the mismanagement of the overseers. The Selkirk régime closes with another attempt to establish an experimental farm. 'After six years' trial,' says Ross, 'when the whole was sold off, the dead loss to the Company amounted to £3500 sterling.' It seemed that no enterprise could thrive in an atmosphere of pampered inefficiency. Governor Simpson wrote of the 'strange fatality attending this unfortunate Colony.'

After Selkirk's death the attitude of the company's officials was far from encouraging. 'Every Gentleman in the Service both Hudson's Bay and North-West,' wrote Governor Simpson, was 'unfriendly to the Colony.' Even Colvile, Selkirk's chief executor, wished that Red River affairs 'had been in the Red Sea 20 years ago.' Lack of enthusiasm is not unintelligible. Alexander Macdonell, the governor of the colony, known among the settlers as the Grasshopper Governor—more baneful than the pestilence—was 'extremely unpopular, despised and held in contempt by every person connected with the place.'[2] Accounts were falsified, goods misappropriated, and a few favourites indulged in carousals at the Colony Fort. Captain Bulger, who became governor of Assiniboia

[1] Gunn and Tuttle, *History of Manitoba*, p. 232.

[2] Simpson to Colvile, *Selkirk Papers*, 7380.

under the Hudson's Bay directorate in 1822, seems to have brought something of 'system and regularity' into the management of the settlement. An Indian swashbuckler was lashed to a gun and flogged in public by a burly de Meuron soldier. A rough survey was completed; a 'council for the District of Assiniboia,' consisting of six of the settlers, met at Fort Douglas; the right of the settlers to trade with the Indians for provisions, leather, and horses was vindicated against the officials of the company. Despite the ridicule among the Hudson's Bay officers, of the 'grumbling senators' and their governor at the settlement, there was a suggestive proposal as early as 1823 for the addition of the chief factor and the Roman Catholic bishop to the list of 'sage councillors' at the Colony Fort.

Under the energetic and capable governorship of Donald Mackenzie,[1] a veteran of the Astor Company, the colony began at last to go 'most thrivingly forward.' What with the migration of the thriftless de Meurons and the prolific harvests after the flood of 1826, even Governor Simpson changed his views. 'This settlement,' he wrote, 'is in the most perfect state of tranquillity, "peace and plenty" may be said to be its motto.' Governor Mackenzie describes with enthusiasm — and not perhaps without calculation — the harvests 'rich and flourishing,' the health and contentment, the 'stacks and laden carts.' 'I beg to congratulate you and all my employers on the prosperous state of the Colony.'[2] Prosperity paved the way for the transfer of the settlement to the company. In 1834 the sixth Earl of Selkirk acceded to the 'desire expressed by the Committee to have re-conveyed' the grant of Assiniboia for £15,000 of Hudson's Bay stock.[3] The Council of Assiniboia, now controlled directly by the company and under the presidency of the governor of Rupert's

[1] Robert Pelly, who succeeded Bulger in 1823, retired two years later.

[2] *Selkirk Papers*, 8480.

[3] 'With the dividends which may accrue and be paid thereon after that date.' —Minutes of committee held June 6, 1834, *Correspondence*, St Mary's Isle, vol. viii. p. 1226.

'The money actually paid to Lord Selkirk with interest added to it' amounted in 1836 to £84,111.—*Report from the Select Committee on the Hudson's Bay Company*, 1857, p. 345.

Land, was convened in February 1835. Four justices of the peace were appointed, a volunteer corps was enrolled, and the council proceeded to enact laws for the settlement. With singular appropriateness the signatures of Governor Simpson, John Pritchard, Cuthbert Grant, and many other friends and enemies of the Selkirk régime appear together on the minute-books. The settlement entered upon a period of obscure and prosaic development under the company. So obscure indeed were the sources of government that for many years the settlers 'were under the persuasion that the colony still belonged to the executors of Lord Selkirk.' Even Hudson's Bay men began to think of the rights of the settlers and to resent the 'political finesse' by which the company 'preserved themselves clear of all responsibility.' [1]

IV

THE RULE OF THE COMPANY

THE return to the settlement in 1823 of the French Canadians and half-breeds from Pembina concentrated at the Forks all the miscellaneous population of the Red River district—'the Scotch, the de Meurons, the simple Swiss and the Canadians, and a number of retired Hudson's Bay servants, making in all about 1500 souls.' [1] Even the wandering plain-ranger and the fisherman made the settlement their headquarters. The Scottish settlers and the retiring servants of the company were gathered at Kildonan on the west bank of the Red River; the French, the de Meurons, the Swiss, and many of the Métis across the river at St Boniface; the main settlement of the Métis for a time under Cuthbert Grant at White Horse Plains up the Assiniboine. For nearly a generation after the flood of 1826 and the migration of the Swiss and de Meurons, the personnel of the settlement underwent little change except from the increasing numbers of the retiring Hudson's Bay servants, though the years of prosperity after 1827 served to differ-

[1] Ross, *Red River Settlement*, p. 174. [2] *Ibid.*, p. 78.

entiate, without disuniting, the various elements that composed the settlement under the direct rule of the company.

The Scottish settlers, joined by the retiring Hudson's Bay officials—chiefly Orcadians, 'quiet, honest and plodding'—formed by far the most stable section of the community. The farms, with small frontage on the river, ran back to the hay-lands on the open prairie. The Highlanders were never without a grievance; for the want of a 'minister of their own persuasion' was an affliction that the staid Presbyterians never forgot and never forgave the company. In material welfare the Scottish settlement showed evidence of frugality and thrift. Struggling through adversity with patient fortitude, they had emerged at last into prosperity and much primitive comfort. In the controversies of the next generation the plodding farmer naturally played no very stirring part. While others, however, fought for free trade and a broader political horizon, it may be said that the unobtrusive prosperity of the farmer created the conditions that alone could inspire the struggle.

The 'whims and changes' of life among the Métis presented a striking contrast. The precarious existence of the plain-ranger, the cart-driver, the fisherman, and the voyageur developed a restlessness under restraint and a pampered improvidence which taxed and eventually defied the company's management. At the coalition in 1821 the birch canoe and paddle of the Nor'wester were displaced by the boat brigades to Hudson Bay. The voyageurs were recruited from the most destitute of the Métis, when advances of pay by the company seemed the only means of subsistence. Their reckless improvidence usually resulted in dissipation or mutiny; their families were frequently left in destitution at the settlement. The ownership of nets, or sufficient credit to hire them for the autumn fisheries of the titameg or whitefish, was a stage nearer self-support and independence; but when skill or good fortune or adequate credit could procure a good horse or a Red River cart, the adventure and wild freedom of the buffalo chase exercised an irresistible attraction for the French Métis. The 'summer hunt' usually began in June, the 'autumn hunt' in August. The number of carts

which left the settlement for the plains in 1820 was 540. In 1840 no less than 1210 carts and 1600 huntsmen, women, and children, representing £20,000 of capital supplied chiefly by the company or by private traders at the settlement, were employed in the summer hunt. More than 1300 buffaloes were slaughtered in a single day; not less than 2500 altogether before the expedition returned to the settlement. Sheriff Ross has left a description of the long train of creaking Red River carts, built altogether without iron, wending their way out of the settlement, of the rendezvous at Pembina, and of the muster on the plains. Here ten 'captains' were chosen to regulate the camp; ten men were assigned to each of the captains; ten guides were appointed to direct the chase. Rules for the camp were drawn up and enforced with rigour and dispatch. When the herd of buffaloes was sighted, four hundred mounted horsemen at a given signal began the stampede, loading and firing in full career. The dangers of the chase and the discipline of the camp supplied unique training for horsemanship, for the skilful use of firearms, and for united action under their chosen leaders. The vicissitudes of abundance and destitution, however, left the Métis thriftless and improvident. 'Enjoying a sort of licentious freedom,' says Ross, 'they are generous, warm-hearted and brave, and left to themselves, quiet and orderly.' Many settlers indeed of Indian blood, particularly among the Scottish and English Métis, were reckoned among the most prosperous in the settlement. The plain-rangers, the fishermen, and the voyageurs as a class, however, were 'unsteady . . . in all their habits, fickle in their dispositions, credulous in their faith, and clannish in their affections.' The huntsman soon began to trade at the American outposts, while the small traders at the settlement, the allies of the plain-rangers, began to challenge the authority of the Hudson's Bay officials upon the company's most cherished privileges.

The colony stores established by Selkirk conducted the meagre trade of the settlement on principles of benevolence rather than of mutual benefit. In the absence of currency till 1823, the system of credit proved unsatisfactory to all but the officials who conducted it—often with 'much fraud

and plunder.'[1] Articles were charged to the settlers which they never received ; articles were received, it must be said, by settlers for which they were never likely to pay ; the loss fell ultimately upon the Douglas family. The system of credit came to an end in 1823, only, however, after the establishment of a strong police system at the settlement and the appearance of private traders on the American border.[2] With primitive enterprise a few of the settlers imported goods by the company's ships at the rate of £8 per ton, and began to drive a thriving trade. No opposition at first was encountered from the company. The colony stores for many years were ill-supplied and were open only at stated periods. The thrifty settler fared best ; the improvident bought from the trader on credit, or, when the colony stores were exhausted, for ready money at exorbitant prices. The colonial supplies were at length increased to meet the demand and the stores were kept open to accommodate the settlers. The small trader, deprived of his profits, 'raised a hue and cry against the Company and accused them of a wish to monopolize all the trade in goods as they did in furs.'[3] There was little direct competition, however, till intercourse with the United States and the private trade in furs touched the jealously guarded monopoly of the company.

It would be less than just to charge the directorate with inveterate hostility to the colony in the interests of trade. 'They will not suffer the fur trade,' wrote Colvile to Simpson, 'to oppose or oppress the settlement.'[4] Almost all the resources of the colony had been covered by a series of futile experiments—the organization of wool and tallow companies, the use of produce for the fur brigades, and the establishment of experimental farms at ruinous losses. The trade in furs, however, was the life-blood of the company. The monopoly was safeguarded with increasing rigour. Letters of private traders were to be left open for inspection in default of an explicit declaration against the traffic in furs ;

[1] Colvile to Simpson, March 10, 1824, *Selkirk Papers*, 8143.

[2] *Ibid.*, 7623, 8075.

[3] Ross, *Red River Settlement*, p. 157.

[4] 'If it be attempted the expence of redressing the evil must and will fall on the fur trade as in Justice it ought.'—*Selkirk Papers*, 8149.

titles to land were made to depend upon abstinence from the fur trade. With the advent of the American cattleman and trader, however, the monopoly could no longer be maintained by unsparing supervision at Hudson Bay. A duty of seven and one-half per cent was placed on goods by way of St Paul; but as early as 1829 there was a demonstration of the Métis at Fort Garry, demanding facilities for a trade in tallow and hides, and the abolition of duty on goods from the United States. The malcontents were quieted by moral suasion. For coping with the illicit traffic in furs, the astute governor of Rupert's Land looked to the police force which he had urged ingeniously upon the settlers for self-protection and good government. The company controlled the north: but even the summary seizure of furs and the right of search, enforced with no excessive delicacy in the settlement and on the prairie, could not stop the stealthy procession of Red River carts to the American outposts.

For several years the Council of Assiniboia, the quarter sessions, and the volunteer corps under Sheriff Ross—established 'to guard against dangers from abroad or difficulties at home'[1]—seem to have 'worked tolerably well,' from the standpoint of the company. There is evidence, however, that among the hunters and the less influential settlers there was much sullen dissatisfaction. The laws were made by a council of which the magistrates who were to enforce the laws were themselves members. In 1836 a French half-breed, Louis St Denis, was flogged for theft. The spectators jeered the executioner, pelted him with mud, and were restrained from further violence only by a strong force of police. Even in 1834 one of the French Métis, Larocque, resenting a blow from one of the company's officials in punishment for an insult, had collected a band of Métis and demanded that the officer[2] be given up to them for retribution. When the

[1] Governor Simpson's *Address*, February 12, 1835.

[2] Thomas Simpson, the distinguished Arctic explorer. Sheriff Ross states that Simpson 'placed himself in the situation of an aggressor by chastising, on the spot, a half-breed named Larocque who had provoked him by his insolent and overbearing conduct. . . . We got the knotty point settled by making a few trifling concessions.'—*Red River Settlement*, p. 166.

Alexander Simpson, who reached the settlement two days after the incident

demand was refused, the Métis began their war-dance like 'a troop of furies.' They were pacified only by a deputation including Governor Christie, the chief factor of the company, and the sheriff, and subsequently by presents together with a 'ten-gallon keg of rum and tobacco.' The company began tentatively to build against the rising flood. A new Fort Garry was built; the walls were of stone with bastions pierced with loopholes for cannon and musketry. Cuthbert Grant, now a man of means and 'Warden of the Plains' in the Council of Assiniboia, supervised the search for furs among the petty traders. Search parties in the settlement carried stout poles to explore the recesses of the cottage chimneys. Seizures became more frequent; successful evasion became an exploit of daring and eventually almost of distinction. Peter Garrioch describes in a journal of rare interest[1] the midnight departure of the fur-smugglers and the stealthy journey over the prairie to 'Commodore' Kittson's at Pembina. Meanwhile the French Métis heard the echo of the Papineau rebellion in Lower Canada; news reached the settlement of the Reform Bill in Great Britain. When the company sent out a recorder of Rupert's Land with the plausible object of supplementing the primitive jurisdiction of the magistrates, it was found that the forces at the settlement were beyond control.

Adam Thom, the new recorder, was an Aberdonian, whose reputation scarcely commended him to the French half-breed and the 'free-trader.' He had practised in Montreal during the stormy days of the Papineau movement; he was known as a vigorous writer, a foe of the French Canadian, a determined champion of 'law and order.' Beneath the usual ingenious plausibility of the appointment—the obvious need of professional training in the proceedings of the courts

occurred, has left a more explicit account in the *Life and Travels of Thomas Simpson*, published shortly after his brother's mysterious death. Larocque, it seems, having been 'refused any further advances . . . grew insolent; he was ordered out; refused to obey, and my brother proceeded to eject him; he resisted, and got the worst of the scuffle, coming off with a black eye and a bloody nose.'

The governor 'succumbed so much to their menaces as to give them a barrel of rum, and a sum of money as an expiation.'

[1] Gunn, *The Fight for Free Trade in Rupert's Land*, Mississippi Valley Historical Association, 1910-11.

—there was felt to lurk, moreover, a possibility of grave abuses. The recorder was in reality the judge; his position made him at the same time almost the attorney for the company. For his salary of £700 he was dependent upon the goodwill of the directorate. He could not speak French and he was known to have opposed the French party in Lower Canada; the French half-breeds took it for granted that his aim would be to curb their wild freedom at the settlement. Even Sheriff Ross voices the doubt 'whether he could at all times be proof against the sin of partiality.' The hostile prejudice became so intense that the recorder was looked upon as the personification of a malignant and repressive despotism. One of the hunters, Larant, fell under the suspicion of illicit trading; his house was broken into, the furs found in his possession were confiscated. None but the trapper was immune. The French Métis found themselves fighting for the rights of the Indian. Even the English half-breeds took offence at a social affront offered to one of their number at Fort Garry. Many of them yielded to self-interest if not to sentiment, and threw in their lot with the breakers of monopoly. 'There is not a man high or low,' wrote McDermot, one of the private traders, to Governor Christie in 1845, 'but says that Mr Thom is the cause of all the present evil.'[1]

The leadership of the 'free trade' movement in furs fell to James Sinclair. The Sinclairs had been identified with the Hudson's Bay Company since 1760. Fortified by this continuous family influence and by a Scottish education, James Sinclair began by trading British goods with the Métis for the products of the buffalo chase. Tallow was exported by the Hudson's Bay ships; furs, no doubt, found their way across the American border. There is evidence that both Sinclair and his fellow-trader, Andrew McDermot, had drifted into the fur trade with the connivance of Governor Simpson and of the indulgent Governor Finlayson at the settlement. McDermot was encouraged to prevent American interference with the company in Rupert's Land by competing for the fur trade at Pembina: the governor, wrote

[1] *Red River Correspondence, Confidential, 1845-6-7*, in possession of Mr C. N. Bell, Winnipeg.

McDermot, 'would not see me lose anything by it.'[1] 'I began to trade furs,' wrote Sinclair, 'with the sanction of the Honorable Hudson's Bay Company and continued to do so until June 1845.'[2] After a visit of American traders in the autumn of 1844, however, 'every one in the Settlement that had any means began to trade furs.' The company resolved to proceed indiscriminately against the 'illicit traffic' with all the influence at its command. Sinclair and McDermot were singled out for an example. In addition to the usual declaration, they were asked to pledge themselves not to import goods from the United States and to give a bond of £1000 each 'for the due fulfilment of the above conditions.'[3] Men of property, Governor Christie remarked to Governor Simpson, were 'assailable by a variety of indirect but powerful means.' Their goods could be detained; freight rates could be raised; goods for export could be refused. 'The detention of their goods,' wrote Governor Christie, 'has given them a heavy blow'; but by the beginning of 1846 it was admitted that no 'measure whatever of an indirect nature will now answer our purpose.' The agitation had assumed a deeper complexion. A band of Métis proposed to break open the gaol. Père Belcourt, himself an advocate of free trade, diverted the movement from direct violence. Petitions were circulated. The governor sent off a special express to warn the company. McDermot, reproached for complicity in the rising, resigned from the Council of Assiniboia: 'It is never again my wish to desire to sit in that Council.' Sinclair's goods were refused by the Hudson's Bay ships. The question arose how far the company was entitled to withhold the privileges of British government in the interests of a trade monopoly. The police force drifted into 'notorious and undeniable inefficiency'; even the magistrates showed 'a degree of reluctance amounting . . . to a fixed determination not to adjudicate in cases arising out of illicit fur trafficking.' The governor at the settlement, alarmed at the 'seductive doctrine about equality and Free

[1] *Red River Correspondence, Confidential, 1845-6-7*, p. 27.
[2] Sinclair to Christie, August 25, 1845.
[3] *Red River Correspondence, Confidential, 1845-6-7*, p. 23.

Trade,' suggested a chain of outposts about the settlement, the 'direct seizure of all furs,' and finally 'a body of disciplined troops for the purpose of giving still greater effect to our authority.'[1]

The suggestion for a garrison, however, had already been anticipated from headquarters. A crisis in the Oregon dispute with the United States was a happy coincidence for the company. A detachment of 347 men under Major Crofton was sent to Red River by way of Hudson Bay, 'under instructions for the defence of the British Settlements.' The governor welcomed the regulars in 1846 as 'a force that promises to give efficiency to all our laws.' 'The tone of the inhabitants,' Major Crofton notes in his diary, 'is disaffected';[2] but the presence of the garrison, together with the effects of a fatal epidemic which ravaged the settlement in the preceding spring, put a stop, for a time at least, to the traffic in furs. When peace was assured with the United States,[3] Major Crofton left the settlement, and the regulars were withdrawn in 1848. As early as 1847, however, the governor and council drew up a memorial in view of the 'contemplated removal of the Garrison.' Major Caldwell with a body of fifty-six pensioners arrived in the autumn of 1848; but the withdrawal of the regulars was the signal for an agitation intensified by the years of forcible repression.

In the spring of 1849 a French half-breed, Guillaume Sayer, and three fellow-traders were arrested for illicit traffic in furs. The trial was fixed for Ascension Day, May 17, and took place under circumstances that courted disaster to the claims of the company. The Métis assembled in force for mass at St Boniface, stacking their arms in the churchyard. At the close of the service, Louis Riel, a half-breed miller on the Seine, father of the insurgent leader of 1869, harangued the Métis and led them in 'veritable triumph' across the river to the court-house outside the walls of Fort Garry. No attempt was made to arm the pensioners. Sinclair was

[1] Christie to Simpson, December 31, 1845.

[2] September 15, 1846.

[3] 'Since there is peace with the United States, I can gain nothing by wasting time here.'—*Crofton's Diary*.

allowed to represent the prisoner ; but without submitting the case to a jury Sayer admitted his guilt, and the recorder was informed by Riel in open court that if the prisoner were not released the Métis would take the law into their own hands. It was found that Sayer had received verbal permission to trade from one of the minor officials of the company. The pretext was seized upon by the bench ; Sayer was dismissed ; the case against his three companions was dropped. The Métis, interpreting the decision as the abandonment of the monopoly in furs, returned to St Boniface cheering, firing guns, and shouting 'Le commerce est libre—vive la liberté !' The Sayer trial was almost the last appearance of the recorder upon the bench. He returned to England in 1854. The company's claims were left in abeyance. The judiciary was left almost at the mercy of popular opinion.

It was not without significance that in the year of the Sayer trial an address of the British House of Commons prayed for an inquiry into the rights of the Hudson's Bay Company. The 'fight for free trade' had served a purpose more far-reaching than a 'way to prosperity' by traffic in furs. It became a kind of political awakening to the deficiencies of patriarchal government and to the conflicting interests of settlement and fur trade. The licences granted by the British government to the company in 1821 and in 1838 imply that the moral debasement of the savage was feared from the economic freedom of the settler. The company was designed for the welfare of the Indian and the profit of the shareholder ; it afforded little scope for British citizenship. It was the commercial rival of the subjects whom it governed in the name of the crown. It was responsible to British shareholders primarily for profits from a trade that covered a quarter of a continent ; it was absolutely free from political responsibility to the settlement ; its responsibility even to the crown was defined by the charter of 1670. The members of the Council of Assiniboia were appointed by the company, not infrequently with a purpose. Like other men of property they were 'assailable,' as Governor Christie had written, 'by a variety of indirect but powerful means.' To the end of the company's rule the settlement was without the

ballot, and was cut off by trading interests from kinship with self-governing colonies under the crown. Repression rather than oppression was the sin of the company. Paternal government could not flourish indefinitely beside the phenomenal growth and enterprise of Minnesota. To the American frontiersman, the Red River trader and cartman, 'with the marks of a European extraction, emerge from the depths of the wilderness with the characteristics of the savage.'

At the settlement, however, the awakening was neither general nor spontaneous. The adroit influence of Governor Simpson was felt, conciliating the malcontents, 'smoothing,' to use the expressive word of that period, the leading spirits in the settlement, fortifying and reinforcing the company. Sinclair with thirty settlers was sent out of the way, across the Rockies; Governor Simpson presented him with a £100 note on his departure and bade him 'be a good boy.' For six uneventful years after the Sayer trial the prevailing tone was one of contentment, of simplicity, of primitive but 'undifferentiated' comfort. The doors went unlocked; the ponderous correspondence and sedate deportment of the Hudson's Bay officials formed the standard of manners; hospitality, ingenuous courtesy to strangers, and primitive honesty passed into a code of conduct. Litigation was little more than arbitration. The governor, said Lieutenant-Colonel Caldwell, was 'Jack in office, and did everything. . . . I tried to do justly between man and man.'[1] The untravelled settler was content to be without ambition as he was without care. The stimulus came only with knowledge of other conditions, and knowledge came from without. In 1856 five hundred Red River carts with produce and furs crossed the American borders; nearly six hundred names were signed to a petition to the legislative assembly of Canada, in the cause of union; 'we have no other choice than the Canadian plough and printing press, or the American rifle and Fugitive Slave law.'[2] The licence of 1838 was to expire in 1859. The prospect opened the whole status of the company for discussion. When the news of Canadian activity

[1] *Report from the Select Committee on the Hudson's Bay Company*, 1857, p. 301.
[2] *Ibid.*, 1857, p. 439.

and the report of the select committee of the British House of Commons in 1857 became generally known at the settlement, there was a perceptible loss of Hudson's Bay prestige. The coming of the Royal Canadian Rifles in 1857 quieted the uneasiness for five years ; but the arrival of a few aggressively Canadian settlers, and above all of a printing-press in 1859, marked the beginning of an insistent agitation against the moribund rule of the company.

The *Nor'-Wester*, under the management of two Canadian journalists, Buckingham and Caldwell, was not altogether successful in 'infecting the lotus-eaters with western fever.' The first number emphasized the interest of the Canadian government in the 'colonization of the vast country watered by the Red River, the Assiniboine and the Saskatchewan.'[1] Vancouver Island passed from the company to the crown in 1859; in 1861 the *Nor'-Wester* assailed the 'wavering do-nothing policy of the Imperial Government' with regard to the Red River Settlement. Opposition to the company became so violent that there was a reaction among the older settlers. The *Nor'-Wester* wrote of the 'miserable state of political serfdom,' the imminence of American influence, the 'settled conviction, right or wrong, in people's minds, that the Council of Assiniboia is a mere puppet of the Hudson's Bay Company, and that all its legislation is moulded by the material interests of the Company.' When the Canadian Rifles were withdrawn, Governor Dallas favoured a petition for more troops ; the company's suggestion was met by a counter-petition for troops and a change of government. The moving spirit was James Ross, a native of the settlement, who had taken a brilliant course at Toronto University, and had returned to Red River to throw himself into the movement for reform. Ross held the offices of postmaster, sheriff, and governor of the gaol; after the counter-petition, the Council of Assiniboia 'resolved that he should be deprived of all these posts.'[2] The governor gave a ball at Fort Garry ; from the list of invitations the names of those who signed the counter-petition were carefully excluded. In 1863 the Rev. G. O. Corbett, who had given evidence against the company

[1] December 28, 1859.

[2] Hargrave, *Red River*, p. 256.

before the committee of 1857, was arrested for a serious crime and released from gaol by a band of partisans. The ringleader of the party was arrested and was liberated in the same summary manner. The governor was advised that where public issues were at stake the administration of justice was thenceforth out of the question. When Sheriff McKenny won an action by default against his half-brother, Dr Schultz, the leader of the Canadian party, and attempted in person to serve a warrant against him, the sheriff's assistant was kept a prisoner for several hours, while Dr Schultz, who was finally arrested, was liberated from gaol by his friends. This was thought to be 'the final blow to the authority of the Hudson's Bay Company.'

The source of much of this inspiration is not far to seek. Canada seems to have awakened to the value of the Red River Settlement in 1856.[1] When Vankoughnet, president of the executive council, declared in September of that year that the western boundary of Canada should be the Pacific, the suggestion was 'echoed throughout the province by the press and by public men of all degrees.'[2] 'Do the Hudson's Bay Company,' asked the Toronto *Globe*, 'think they can shut out people from the direct road to the Great West forever?' There was a petition from the Toronto Board of Trade and an address to the throne from the legislative council and assembly of Canada. Chief Justice Draper was sent to watch the sittings of the select committee of the British House of Commons in 1857. It was found that their *Report* recommended that 'the districts on the Red River and the Saskatchewan' should be 'ceded to Canada on equitable principles.' Expeditions were sent out under S. J. Dawson to survey a road from Fort William to the settlement and under Professor Hind to report upon the suitability of the West for settlement. In 1858 there was an attempt to establish a Canadian mail service. The North-West Transit Company was incorporated in Canada. The London representative became a director of the International Financial Company,

[1] 'I think it was during the very last summer that the discussion first commenced upon the subject.'—John Ross before the select committee, 1857, *Report*, p. 3.

[2] Evidence of A. R. Roche, *Report from the Select Committee on the Hudson's Bay Company*, 1857, p. 249.

which actually purchased the Hudson's Bay Company in 1863. After 1867, especially, the Canadian Confederation appeared to be the manifest destiny of the Red River Settlement; though a few supporters of the new Hudson's Bay Company opposed the abandonment of the settlement to become 'a mere sub-colony of a colony' that was 'its inferior in future capabilities.'[1] Till 1859 Canada had sought possession by disputing the boundary and by attacking the validity of the charter. In that year, however, the executive council had declined to 'advise steps to be taken for testing the validity of the Charter by *scire facias*.' The possession of the West became a matter not of law but of political negotiation. In 1868 the question was transferred to London. Sir Georges É. Cartier and William McDougall were sent to England to negotiate with the Hudson's Bay Company under the auspices of the imperial government.

The steps which led to the transfer of Rupert's Land and the North-West Territories to Canada were not without effect upon the company and the Red River Settlement. The Canadian ministry, without relinquishing their legal claims, made it clear that the sum of £300,000 eventually agreed upon as the price of transfer represented merely the '*cost* of legal proceedings necessary . . . to recover possession.'[2] The Colonial Office suggested pointedly to the company that 'the very foundations of the Company's title are not undisputed,' and that the lack of a 'recognized Government capable of enforcing the law and responsible to neighbouring countries for the performance of international obligations' was 'not creditable to this country,' and was 'unjust to the inhabitants of that territory.'[3] The fact that the International Financial Company had bought the stock of the Hudson's Bay Company in 1863 with full knowledge of the conditions, weakened any claims the old company might have advanced for special consideration.[4] Even at the settlement, the

[1] James Dodds, *The Hudson's Bay Company and its Position and Prospects.*

[2] Cartier and McDougall to Sir F. Rogers, February 9, 1869, *Papers relating to Rupert's Land*, p. 59.

[3] Rogers to Northcote, March 9, 1869, *Id.*, p. 40.

[4] Sir Edmund Head, lately governor-general of Canada, was the governor of the new Hudson's Bay Company.

Prospectus of the new company in 1863, announcing a policy of 'colonization under a liberal and systematic scheme of land settlement'—'in accord with the industrial spirit of the age'—won little confidence. The *Nor'-Wester* assailed the new régime as no better than the old, while the 'old Hudson's Bay men,' writes Hargrave,[1] 'regarded this new gentleman [Governor Dallas] as being with all his ability not much better than a "greenhorn."' The old familiar touch was lost between the officials and the directorate. No troops were sent to restore the waning prestige of the company or to ensure peace during the transfer to Canada. In 1869 the illness of Governor M^cTavish, who had replaced Governor Dallas in 1864, left the settlement without an anchor and without a pilot.

The terms of transfer agreed to by the Hudson's Bay Company stipulated the surrender of Rupert's Land and the North-West Territory to the imperial government, the transfer within a month to Canada, the payment by Canada to the company of £300,000, the confirmation of titles to land conferred by the company, the reservation of land for the company in the vicinity of their trading-posts and 'not exceeding one-twentieth part' of each township settled 'within the Fertile Belt.' The Rupert's Land Act of July 1868 had already enacted that in case of transfer, 'until otherwise enacted by the said Parliament of Canada, all the Powers, Authorities, and Jurisdiction of the several Courts of Justice now established in Rupert's Land, and of the several Officers thereof, and of all Magistrates and Justices . . . shall continue in full Force and Effect therein.'[2] 'It has been agreed,' stated the Treasury minutes[3] of November 22, 1869, 'that the surrender of Rupert's Land . . . shall be made on 1st December next.'

[1] *Red River*, p. 259.
[2] *Papers relating to Rupert's Land*, p. 66.
[3] *Statement of Proceedings*, Treasury Chambers, June 28, 1870, p. 1.

V

INSURRECTION

OF the twelve thousand inhabitants of the Red River district in 1869, by far the largest homogeneous section was the French and French half-breed element on the east of the Red River and south of the Assiniboine. Roman Catholic in religion, primitive in habits of life, they exhibited under trusted leaders the same tenacity of race and religion that Durham had observed in the Province of Lower Canada. The establishment of a smaller Quebec on the banks of the Red River had been almost accomplished. The priesthood exerted the same intimate influence over the home and the training of the young. The unity which the French alone possessed was the result of wisdom and far-sighted policy. Dependent largely for livelihood upon carting and the buffalo chase, the Métis were almost necessarily improvident and illiterate, though they were trained to the use of arms and accustomed on the prairie to united action in obedience to their chosen 'captains.' They valued the indulgences of the Indian perhaps more than the privileges and responsibilities of the white man. Their tenure of land, their credulous good-nature, their very improvidence, left them not unattached to paternal government at Fort Garry. They understood no other, and it may be said no other community understood them. Their leaders, moreover, were quick to see that the Hudson's Bay officials, who had viewed even the sale of 1863 with stupefaction and deep indignation,[1] were not enthusiastic over the transfer to Canada, in which they had been completely ignored; while even the English-speaking population had many secular interests in common with the Métis. A united and effective party, obedient to daring leaders of their own race, the French Métis proved capable of dominating for ten months a community in which, in moral and social influence, they were perhaps the least considerable element.

[1] Hargrave, *Red River*, p. 298.

The English-speaking population, on the other hand, was distractingly diversified. Anglican, Presbyterian, and, in small numbers, Methodist in religion; Scottish, English, Irish, American, Canadian in nationality; British, Canadian, American, and 'Company's men' in tradition—they were without unity in any issue that dominated the insurrection. The interests of the clergy were identified with no political party; while neither race nor religion was a deciding factor with the laity. In the Red River Settlement as in Quebec, the genius of French colonization made for centralization into a single, a unified, an effective political party. In the Red River Settlement as in the New England colonies, the genius of British tradition made for sturdy progress through independence, thrift, and enterprise. In both cases the French were responsive to central control; the British paid the price of unrestrained independence by a fatal lack of unity.

Among the four active political interests to be distinguished, the company naturally enjoyed pre-eminence. By patronage or by social influence, by marriage or by policy, the officials commanded the support of nearly all the older settlers and not a few of the new. 'We are bound to say,' reads the *Nor'-Wester* in 1860, 'that the feeling in this Settlement is favorable to the Company—regarded merely as a commercial body.' 'As a government,' however, the company was regarded with 'dissatisfaction.' The courts were dilatory and unrespected; 'justice could no longer be administered.' 'The influence of the government and of the magistrates,' said Governor McTavish, 'must be personal and as persuasive as the atmosphere.'[1] 'The conduct of court business,' says Begg, 'came as near being a farce as it well could be.'[2] When the Rev. G. O. Corbett and Mr Stewart were liberated from gaol in 1863, the company refused to 'support the law to the last extremity,' through fear of bloodshed and 'internal quarrels.' The old settlers were accustomed to a placid régime based upon 'the good-will and law-abiding character' of the people; the newcomers

[1] New York *Sun*, June 25, 1870.
[2] *History of the North-West*, i. 355.

from Canada wrote of the stagnation of paternal government in a settlement afflicted with 'chronic melancholy and disappointment.' The *Nor'-Wester* wrote of 'the pretence of law—the shadow without the substance,' and proclaimed with truthful, if partisan, bluntness that the company was 'utterly unsuited to the times, absurd in form and impotent for the purposes of good government.'

It may be said that the three remaining parties corresponded to the remedies proposed. Annexation to the United States was thought to be a natural tendency; a crown colony was the hope of those who wished for conservative development and British connection; union with Canada was advocated by Canadians, and after Confederation in 1867 was openly favoured by the home government.

The American element, though small, was aggressive. It was pointed out that the population of Minnesota had increased in a decade from less than ten thousand to two hundred thousand; that of Iowa by more than a quarter of a million; Wisconsin by over three hundred thousand. No less than fifteen hundred Red River carts plied between the settlement and St Paul, Minnesota. Navigation by steam was established in 1861. A memorial of the legislature of Minnesota praying for the annexation of the Red River Settlement was considered by this party the 'highest tribute yet paid to this country.' 'One thing is very apparent,' wrote the American consul to the secretary of the treasury; 'unless the English government shall very promptly respond to the manifest destiny of the great interior of British America . . . the speedy Americanization of the fertile district is inevitable.' 'I doubt not,' wrote Governor McTavish himself, 'this will be its ultimate destiny. . . . Indeed it is for the interest of settlers here that annexation should take place at once.'[1]

The agitation for a crown colony was of long standing. British Columbia passed from the company to the crown in 1859. A petition during the winter of 1858-59 had advocated the same course at Red River. As change became inevitable,

[1] McTavish to Smith, December 25, 1869, *Recent Disturbances*, p. 201.

an influential party favoured a crown colony in the interests of conservatism ; while the aggressive Canadian party chafed under the covert discouragement of immigration and assailed the policy as one of ' mosquitoes, grasshoppers, frosts and Crown Colonies.' A section of the Hudson's Bay stockholders, resenting the ' silence and mystery and platitude and red-tapeism ' of the directorate, advocated a crown colony as late as 1866.[1] There can scarcely be a doubt that a crown colony even at that date would have given general satisfaction by retaining the autonomy of the settlement and would have made possible a union with Canada by peaceable negotiation. It became apparent in the British North America Act, however, that Canada had the sympathy of the imperial government in the dream of early expansion to the Pacific. The guardians of French unity and the circle of conservative Hudson's Bay Company influence, already antagonized by an aggressive and over-confident Canadian party in the settlement, found themselves ignored in the transfer, and their influence threatened by rapid immigration. By the officials of the company loss of prestige was to be expected ; but Bishop Taché wrote of the ' new system ' as likely to affect the ' ruin of that which has cost us so dear.' ' I have always feared,' he wrote to Cartier in October 1869, ' the entrance of the North-West into Confederation, because I have always believed that the French Catholic element would be sacrificed.'

The number of Canadians at Red River in 1869 formed an aggressive minority—restive under an antiquated system of government and in many cases intent upon forcing a union with Canada by exposing, if not by exploiting, the impotence of the Hudson's Bay Company to govern a progressive community. In this movement the value of the printing-press was almost incalculable, not because it convinced the settlers what Canada was, but because it sought to persuade Canada what the settlement was not. The first issue of the *Nor'-Wester*[2] contained the remark that ' such a country cannot

[1] James Dodds, *The Hudson's Bay Company and its Position and Prospects*, January 24, 1866.

[2] December 28, 1859.

now remain unpeopled.' 'The printing press,' it frankly continued, 'will hasten the change.' It was this self-confidence, the advocacy of change, the veiled impatience of 'primitive existence,' which offended the guardians of a primitive and complacent people. Resentment took the form not of aggressive opposition but of a retiring aloofness that rendered the possibility of an understanding more and more remote. The Métis alone numbered eight hundred families when the *Nor'-Wester* began to predict imminent changes. 'The wise and prudent will be prepared to receive and to benefit by them; whilst the indolent and the careless, like the native tribes of the country, will fall back before the march of a superior intelligence.'[1] During the ten years which intervened before the insurrection, the prophecy assumed enough of truth to produce a deep and settled unrest. Under the editorship of James Ross, 'a vigorous writer and logical thinker,' the *Nor'-Wester* launched into such open opposition to the company that the governor cancelled all subscriptions but two; while the Bishop of St Boniface characterized the 'attitude taken . . . towards the authorities of this country' as shameful and unjust. The number of June 2 contained 'information for Canadians' calculated to induce a general immigration. Dr Schultz, then twenty-four years of age, became editor in 1864, and annexation to Canada became a settled design. It must be said that the *Nor'-Wester*, 'racy of the soil,' aroused and sustained the sluggish interest of Canada in the future of the West. Such prejudice was aroused, however, to the Canadian cause in the settlement by the estrangement of the Hudson's Bay officials, of many of the old settlers, and of the leaders of the French half-breeds, that by 1869 these interests no longer looked upon union with Canada with an open mind. British rule in Quebec after 1763 suffered through the aggressiveness of a small British minority; Canadian rule at Red River suffered through the over-confidence of an aggressive Canadian minority. The avidity with which the leaders of the insurgents seized upon the mistakes accompanying the transfer, is to be explained in no small measure by their fear of submersion by those whose

[1] The *Nor'-Wester*, January 14, 1860.

representatives at Red River no longer possessed their confidence.

In 1868 a plague of locusts destroyed the harvests at Red River and brought the settlers to the verge of famine. Appeals for assistance met with a generous response. The Council of Assiniboia voted £1600; the Hudson's Bay Company gave £2000; Minnesota sent $5000; several American cities contributed $400. The Ontario government voted $5000.[1] Canadian cities and private individuals contributed more than $12,000. The Bishop of Rupert's Land visited Ottawa in person and 'urged assistance.' The Public Works department procured a vote for $20,000 'not as alms,' it was pointed out by Canadian apologists, 'but in exchange for their labour on a public work in their own vicinity, and of the highest utility to their settlement.' Relief was to be supplied 'in a way most acceptable to a high-spirited people: viz. in exchange for their labour.'[2] In September 1868 John A. Snow was instructed to survey a road from the settlement to the Lake of the Woods and to pay for labour in provisions.

This was by no means the first attempt on the part of Canadians to establish communications and to explore the country. In July 1857, twelve years before the transfer was arranged, S. J. Dawson had begun a survey for a road from Fort William. Professor Hind's explorations in 1857-58 had gone as far west as the valleys of the Assiniboine and the Saskatchewan. In 1858 there was an attempt to establish a mail service. Snow began his work in the autumn of 1868 on good terms with the settlers. 'Generally people here,' wrote the governor, 'regard Mr Snow's arrival as opportune.' A series of petty mistakes and oversights, however, destroyed altogether the usefulness of the undertaking. Wages, far from generous, created general dissatisfaction. A few Canadians in the party, Thomas Scott among the number, secured better terms only by seizing Snow and threatening to 'duck' him in the river. The Métis were paid in provi-

[1] Marked in *Minute Book of the Executive Relief Committee*, 1868, as 'never received.'

[2] Cartier and Macdonald to Sir F. Rogers, January 16, 1869, *Report of Delegates*, Ottawa, 1869.

sions and at a rate that suggested parsimony rather than bounty. Letters deriding the primitive simplicity of the settlement were sent to Canada, and found their way into the newspapers. These newspapers found their way in turn to Red River, where they were read with resentment and indignation, though many of the letters were not written for publication, and though Snow himself 'had no hand in their production.' An attempt was made to secure land from the Indians at Oak Point. Large tracts were provisionally 'staked off' not only for members of the surveying parties but for friends in Canada. Spirits were sold to the Indians. The half-breeds, whose tenure of land was seldom fortified by titles, were suspicious, unenlightened, and hostile. The surveying party included a few rough miners and deserters from the American army. Accustomed to 'the Hudson's Bay manner,' the Métis resented the ridicule of strangers. A grave mistake was the mission of Colonel Dennis during the summer of 1869 to begin an official survey of the settlement. Formal permission had been sought by the Canadian government and granted by the Hudson's Bay directors, who had 'no objection to offer to the immediate commencement of the survey of lands for settlements';[1] but a party had not been employed a week when 'some eighteen French half-breeds,' wrote Dennis, 'headed by a man named Louis Riel,' stopped the survey 'by standing on the chain and using threats of violence.'[2] The party was withdrawn, but the irritation to the 'temper and feelings of the half-breeds' became so intense that even Dennis deprecated 'harsh measures towards the offenders in this case.' These incidents were interpreted as an 'intention to ride roughshod over everything and everybody.' It must be admitted, moreover, that those who should have been more enlightened, ministered to, rather than assuaged, this distrust among the credulous Métis, and the crude apprehension that the Canadians were about to seize their lands. Father Ritchot was a recent arrival from Canada when he took charge of St Norbert in 1862. He had represented the diocese of St Boniface at a

[1] *Papers relating to Rupert's Land*, p. 15.
[2] *Recent Disturbances*, p. 5.

council at Quebec as late as 1868.[1] He stated that 'nobody in the country knew what these surveyors had come for,' but admitted that he 'never asked Governor McTavish about the surveyors and their powers.'[2] Where enlightenment was neither sought nor supplied, grievances were not far to seek.

Meanwhile preparations for the assumption of government by Canada were far from adequate. 'Those gentlemen,' said Governor McTavish after a visit to Ottawa, 'are of opinion that they know a great deal more about the country than we do.' Bishop Taché passed through Ottawa on his way to Rome as early as June 1869, urging in vain the cause of the French party—some official recognition of the language and of French Roman Catholic influence in the government. 'It had never occurred to me,' he wrote unreservedly to Cartier, 'that our rights would be so quickly and so completely ignored.' Even his presence at Red River, Bishop Taché stated, would be useless without some 'reply which could satisfy the people.' Joseph Howe, Canadian secretary of state and the champion of minorities in the Canadian Confederation, went to Red River in October. He 'conversed freely,' he wrote, 'with all classes and orders of the people from Governor McTavish downwards.' 'The same Constitution as the other Province possessed,' he assured them, 'would ultimately be conferred upon the Country.' 'Leading men enjoying their confidence would be at once taken into the Government.' 'The young men without distinction of blood would be drawn into the public service.'[3] Howe's opposition to Confederation in Nova Scotia, however, was not unknown at Red River. Whatever the apparent ignorance of Canadian policy, there seems to have been an understanding of Canadian politics. It was generally believed 'that the difficulties might have been obviated by the appointment of Governor McTavish as his own successor'[4] but 'the feeling of uneasiness began to take a very marked form' when the choice for lieutenant-governor fell upon William McDougall,

[1] Benoit, *Vie de Mgr Taché*, vol. i. pp. 478, 573.

[2] *Trial of Lépine*, p. 78. [3] *Recent Disturbances*, p. 51.

[4] A. McArthur, *Causes of the Rising*, Manitoba Historical and Scientific Society.

who had opposed the claims of the company at Ottawa and in London, and was held responsible, as minister of Public Works, for the conduct of the Canadian surveyors. McDougall was instructed in September to 'proceed with all convenient speed to Fort Garry' for the purpose of making 'preliminary arrangements' for the 'actual transfer to Canada' in December. Howe's policy, it is now seen, was neither narrow nor partisan nor ungenerous, but McDougall was never to receive an opportunity of carrying it out.

It was known at the settlement during the summer of 1869 that more than passive resistance was being advocated among the Métis. It would be a superficial view to attribute this resistance to a few irresponsible surveyors or even to higher officials who had not yet reached the settlement, and to overlook the deeply rooted desire of the Métis for land reserves, or the fear of the guardians of French interests that 'unless they can raise some breakwater' their influence would be submerged by Canadian immigration. The Métis, declared Riel before the Council of Assiniboia on October 25, 'were uneducated, and only half civilized, and felt, if a large immigration were to take place, they would probably be crowded out.' At a time when even Quebec was fearful for their privileges of race and religion in the new Canadian Confederation, neither the Roman Catholic clergy nor the Métis beneath their guidance could be expected to welcome Canadian domination at Red River. The inhabitants of the country, it was said, had been 'sold like so many sheep.'[1] By the time McDougall had reached Pembina, the leaders of the Métis had not only organized a general resistance in their own behalf, but had 'in a quiet way ascertained public feeling in the matter.'[2] The old settlers were not indifferent, though they 'never had any doubt that the matter would soon right itself.' The Hudson's Bay officials, ignored both by the company in Great Britain and by the Canadian government, could not be expected to be enthusiastic. Governor McTavish indeed was too ill to cope with an emergency. Howe had imagined the settlement 'well-disposed,' but McDougall a

[1] *Recent Disturbances*, p. 27.
[2] The *Manitoban*, March 4, 1871.

few days later found that a barricade had been erected at Rivière Sale, a few miles from Fort Garry, to prevent his arrival. The barricade was defended by forty Métis led by Louis Riel.

There is no evidence that this resistance was occasioned by events after Howe's departure. The advantage was followed up with skill too discerning to be spontaneous. A 'National Committee' was formed with John Bruce as president and Louis Riel as secretary.[1] The council-chamber was the house of Père Ritchot at Rivière Sale. An order was dispatched on October 21 to McDougall 'not to enter the Territory of the North-West without special permission of this Committee.' On November 3 a party of armed Métis compelled McDougall to leave the Hudson's Bay post at Pembina and to retire to American territory. J. A. N. Provencher, a nephew of the first Roman Catholic bishop at Red River, had been sent by McDougall to assure the Métis 'of the determination of the Government . . . to respect existing rights without reference to race or religion.'[2] 'They uniformly answered,' reported Provencher, 'that it was too late and that the insurrectionary movement had taken such precautions as to prevent any peaceful settlement at present. I was told in the meantime that a new Government was already organized.' The president in person announced that 'they were ready to open negotiations . . . in view of settling the terms of their coming into the Dominion of Canada.' Provencher was sent back to the boundary and the scheme outlined at the barrier became the programme of the insurrection. 'The insurgent leaders,' remarked the *Manitoban* in 1871, 'had played their cards so well that their movement seemed unworthy of serious notice until it was found to be too formidable to put down except at great loss of life.'

Governor McTavish, acting under the belief that 'these feelings had no very deep root,' endeavoured to bring 'these

[1] 'The idea of their organization seems to have been taken from the plan used to distribute the relief supplies last winter.'—McTavish to Smith, November 9, 1869, *Recent Disturbances*, p. 188.

[2] McDougall to Howe, October 31, 1869.

misguided people to reason.' A three hours' interview with Père Ritchot, however, came to nothing; a delegation to St Norbert spent 'the whole day there to no purpose.'[1] McTavish advised McDougall to remain at Pembina. McDougall remarked pointedly in reply that the governor as the 'Legal Ruler of the country' was still 'responsible for the preservation of the public peace,' and that not even a 'Proclamation or warning' had been issued from Fort Garry. On November 16 the governor's proclamation was issued, but during the interval events had been moving rapidly. 'Large bodies of armed men,' reads the proclamation, had 'unlawfully seized . . . goods and merchandise'; they had 'interfered with the Public Mails'; they had taken forcible possession of Fort Garry 'in the face of repeated remonstrances'; they had 'placed armed guards at the gates'; they had 'avowed it as their intention . . . to resist the transfer . . . made under the sanction of the Imperial Parliament,' thus 'virtually setting at defiance the Royal authority.' The Métis were directed to 'disperse under pains and penalties of the law.' The seizure of Fort Garry had taken place on November 2, 'under the plea of protecting it.' On November 6 Riel issued a 'Public Notice' calling upon the 'Inhabitants of Rupert's Land' to send twelve representatives to a meeting at Fort Garry on November 16.

The daring and subtlety of the movement became evident in the 'precautions . . . to prevent any peaceful settlement at present,' and to keep the insurrection orderly and responsive to control. 'The discipline hitherto maintained,' reads a private letter of November 6, 'has been quite wonderful.' 'They understand perfectly,' wrote McDougall on November 15, 'that I have no legal authority to act or to command obedience till the Queen's Proclamation is issued.' 'Particular pains are taken,' reads a letter of November 12, 'to see that no communication reaches the Governor.' 'Mr Howe's remarks,' wrote McDougall, 'are repeated from mouth to mouth and construed into an approval of their present attitude of "resistance to tyranny" and "defence of their rights."' Père Ritchot assured the Métis that the

[1] *Recent Disturbances*, pp. 17, 19.

Canadian 'Ministry would fall,' and that 'the demands of the Red River people would be granted.'[1] When the gathering summoned by Riel met on November 16, a determined effort was made by the French leaders to suppress the reading of the governor's proclamation, 'while the English members insisted upon hearing it.' A copy, however, had found its way to the *Nor'-Wester*, when it was printed off under the caption 'Loyalty Triumphant.' Unable to save themselves from being forced legally into open insurrection, the leaders of the Métis determined to persevere at all hazards. Riel furnished his quarters at Fort Garry with McDougall's furniture, seized on the way from Pembina. 'Mr McDougall,' declared the Métis, 'could only be brought into the settlement over their dead bodies.'[2] Riel seized the books of the company and forced the officials 'to give up the public accounts.' The company's government had been completely destroyed when the leaders of the Métis, despite the refusal of the English settlers to co-operate, 'on the . . . 24th of November, 1869, . . . established a provisional government and held it to be the only and lawful authority.'[3] So untenable was the position, indeed, that the declaration was published only on December 8, after the whole issue had been obscured by McDougall's unwarranted proclamation of December 1.

The relations between McDougall and McTavish were far from friendly. The governor was in no enviable position. Stricken with a fatal illness, he was accused by the Canadians on the one side and by the Métis on the other. The Canadians professed 'no faith in the sincerity' of the governor's proclamation, while Père Lestanc spoke of the 'idea which possessed the half-breeds that the Company was in collusion with the Canadian Government.' McDougall's information from the settlement was uniformly hostile to the Hudson's Bay officials. Snow reported that 'the Company beyond all question are deeply concerned.' 'It is evident between you and me,' wrote a young English settler, 'that

[1] Governor McTavish to Smith, December 11, 1869.
[2] McTavish to Smith, November 23, 1869.
[3] *Declaration*, issued December 8, 1869.

they at first were well pleased at the way things were working.' McDougall wrote to Howe of 'treason within the Council' of Assiniboia; of 'positive assurance' that the intentions of the Métis were known to the officials on the day before Fort Garry was taken; of the 'confirmed belief of every person I have ever seen or whose testimony has reached me . . . that the Hudson's Bay employees with scarcely an exception are either actively or tacitly encouraging the insurrection.' The governor's sympathies with Canadians could scarcely be expected to predominate over his sympathies for his own people. Unmindful of the necessities of a paternal system of government, McDougall drew his conclusions from the fact that not a single active measure had been taken by the company to prevent the barricade at Rivière Sale, the seizure of Fort Garry, the appropriation of McDougall's furniture, the opening of the mails, the violence offered to individuals, and the seizure of Canadian government supplies. Riel was in full possession at Fort Garry; the governor was '*hors de combat* personally and officially.' McDougall wrote to the secretary of state that it was necessary 'to give confidence and the protection of legality to the acts of the loyal and well-disposed and to put the malcontents . . . publicly and technically in the wrong.' The proclamation forced from the governor had effected this purpose till the transfer actually took place. Another proclamation was necessary the moment the authority of the company came to an end. 'Issue your Proclamation,' wrote Snow, 'and it will be responded to by 500 men.' No other force at that time of the year could possibly be brought to cope with the insurgents. Such was the necessity urged by McDougall for the proclamation of December.

From the Canadian standpoint, however, the proclamation of December 1 was a blunder not because it was inopportune, but because it was unwarranted. Ignorant that Canada had declined on November 27 to 'accept transfer unless quiet possession can be given,' McDougall relied upon the previous recommendation of the Canadian government to the colonial secretary that December 1 should be the date of transfer. Such had been the understanding at Ottawa, at Red River,

and in Great Britain. The deputy governor of the company, indeed, wrote to McDougall through Governor McTavish that December 1 had been agreed to by the imperial government. Convinced that the company's rule would cease, McDougall considered it necessary that Canadian rule should begin. It is only just to notice that in this view of the case the Hudson's Bay Company and the imperial government considered that McDougall was right and the Canadian government was wrong.[1] No excuse or defence, however, has been made for issuing on December 1, in the name of the queen, a proclamation which had not even been received at Ottawa. A second proclamation, on December 2, called upon all 'public officers and functionaries' except the governor 'to continue in the execution of their several and respective offices.' Colonel Dennis as 'Conservator of the Peace' was authorized to 'arm, equip and provision' a force 'to attack, arrest, disarm or disperse' the insurgents. Howe hastened to inform McDougall that he had 'used the Queen's name without her authority, attributed to Her Majesty acts which she had not yet performed, and organized an armed force' the raising of which was 'entirely illegal.' When McDougall discovered that Canadian prestige was hopelessly destroyed at the settlement, he curtly informed Governor McTavish that he was still responsible for the preservation of the peace, and that by the Rupert's Land Act of the imperial parliament all the powers, authorities, and jurisdiction of the courts in Rupert's Land were in full force until otherwise enacted by the parliament of Canada.

Informed of the movement against them, 'like a flash the French rose to a man.' A list of rights claimed by the Métis was printed on December 5, and contained, as even Dennis admitted, 'nothing very unreasonable.' Riel, surmising with shrewdness and penetration that the old settlers would not resort to arms, quickly made himself master of the situation. The offices of the *Nor'-Wester* and the *Pioneer* were seized. Riel 'cleared all the stores of the merchants

[1] Northcote to Rogers, December 28, 1869; Granville to Young, November 30, 1869.

in the village of Winnipeg of all their guns and ammunition.'[1] A party of Canadians, gathered at Dr Schultz's warehouses to defend their supplies for the winter, was summoned by Riel on December 7 to give up their arms and surrender themselves. A. G. B. Bannatyne, who had been sent by the old settlers to advise the abandonment of the stores, urged compliance on the understanding that they should be marched to the fort and then allowed to go.[2] Bannatyne, however, had been too sanguine a negotiator. Riel had other designs. 'Five or six stoveless, bedless and chairless rooms were packed with prisoners.' After the 'cooling effect' of the moderate List of Rights, it was found that the Canadians had very few friends outside of the gaol.[3] Free from this danger, Riel issued the declaration of provisional government on the following day in the name of the people of Rupert's Land and the North-West. The English-speaking settlers, who had declined to co-operate because they considered that 'the Company should remain in power,'[4] now 'found themselves caught in a trap.'[5] There can be no doubt, despite the prominence of O'Donoghue and the aggressive Fenian or American element, that the Roman Catholic clergy and Riel himself, with the possible exception of two or three occasions, stood for the traditional policy which had kept Quebec pro-British and anti-American. The declaration of December 8, however, can bear but one interpretation. It appeals not to British usage but to 'fundamental moral principles.' 'The Representatives of the people in Council,' it states, 'assembled in Upper Fort Garry on the 24th of November, 1869, . . . solemnly declare that . . . the people of Rupert's Land and the North-West' were 'free and exempt from all allegiance' to the company's government; that 'we refuse to recognize the authority of Canada'; that 'we are firmly resolved . . . to repel all invasions, from whatsoever quarter they may come'; 'and furthermore we do

[1] McTavish to Smith, December 11, 1869.
[2] Young, *Manitoba Memories*, p. 110.
[3] *Diary of A. W. Graham*, Elgin Historical and Scientific Institute.
[4] Begg, *History of the North-West*, vol. i. p. 406.
[5] McDougall to Howe, December 16, 1869.

declare and proclaim . . . that we have on the said 24th of November, 1869, above-mentioned, established a Provisional Government, and hold it to be the only and lawful authority,' and that 'we hold ourselves in readiness to enter into . . . negotiations with the Canadian Government.' The declaration bears the name of John Bruce and Louis Riel. Though printed shrewdly on December 8, it renounces 'all allegiance' to the company from November 24, a week before McDougall's proclamations were issued and more than a week after the governor had called upon those who had 'virtually set at defiance the Royal authority' to 'disperse . . . under the pains and penalties of the law.' 'Of course the great majority of the inhabitants,' Governor McTavish wrote on December 11, 'have not authorized either Bruce or Riel to act for them.' As late as December 17, the governor stated to Riel himself that 'the Government he alluded to was not a Government but simply a body of men supported by a section of a section of the people.' 'I had from the beginning,' McTavish continues,' pointed out to him that the steps he was taking were unnecessary as well as illegal.'[1] It was only the forcible seizure of Fort Garry that had destroyed the paternal government of the company; till November 24 none but the Métis themselves required governing in any other way, pending the establishment of Canadian authority. In the view, therefore, of the Hudson's Bay Company in Great Britain, of the Canadian government, and of the imperial government the movement was an 'illegal' and deliberate insurrection against constituted authority. Even Begg, whose account is unmistakably sympathetic, condemns Riel, and states that 'he and his followers took the initiative in rebellion.' From this point Riel never wavered. 'You may rely upon it,' wrote Dennis on December 9, 'these people are fully in possession for the winter.'

When it was discovered that McDougall's proclamations were unauthorized, Riel had little difficulty in destroying all opposition. The flag of the provisional government—the fleurs-de-lis for the French and the shamrock for the Irish Fenian—was raised on December 10. On December 22 the

[1] McTavish to Smith, December 25, 1869.

safe was opened at Fort Garry and the sum of £1090, 4s. was taken: 'the safe and its contents were then carried off.'[1] 'Parties supposed to be in sympathy with the Canadian party' were 'quietly' arrested. Arms and ammunition were confiscated. On December 27 Riel assumed the nominal as well as the actual leadership of the insurrection.

John Bruce had been 'President in name only.'[2] Riel, the eldest son of a French mother and of Louis J. Riel, a French half-breed, was at this time twenty-five years of age. Bishop Taché had recommended him to patronage in Quebec and Riel had been sent to Montreal to study for the priesthood. His progress, however, had given little promise of scholarship or of aptitude for holy orders. He had returned to Red River without completing his course. Eager to distinguish himself, he had plunged boldly into an agitation in which there is evidence that older heads had thought out the way. During the summer of 1869 Riel seems fairly to have gauged the prospects of successful resistance to Canada. Dazzled by the distinction of leadership and by an adulation which greeted him as 'the young Napoleon,' he seems to have outgrown tutelage and to have embarked upon a struggle for personal ascendancy which passed through the stages of intimidation and violence from the appropriation of private property to the taking of human life. Gifted, Bishop Taché wrote, with 'brilliant qualities of spirit and of heart,' he used them in the interests of 'an unbridled ambition which poisoned his intelligence.' He seems to have come into conflict at some period during the movement with almost every man of prominence and standing in the settlement. He antagonized Judge Black by his disrespect; he threatened Governor M^cTavish; he menaced Dr Cowan with 'death within three hours'; even Bannatyne was once imprisoned; James Ross was 'repulsed in a most contemptuous manner'; Commissioner Smith was subjected to conditions 'truly humiliating.' Even Begg states that Riel was headstrong, impetuous, and inexperienced, and undertook a task for which he was unfitted, unfortunately for him and for his cause. Bruce

[1] *Recent Disturbances*, p. 201.
[2] *Trial of Lépine*, pp. 62-3.

found it impossible to work with him ; Nolin declined ' to vote at . . . dictation.' At one point more than fifty French Roman Catholic Métis so far distrusted Riel's good faith that they brought in the commissioner's papers, despite the president, by ' placing a loaded pistol to his head.' [1] After Bishop Taché's return a guard was placed over the palace at St Boniface. From the formal assumption of the presidency on December 27, the personal element may be said almost to overshadow the cause. On at least one occasion, it would seem, only the influence of Père Lestanc maintained Riel's leadership as the only alternative to the hopeless disruption of the French party.[2] It is not difficult, indeed, to trace the subtlety of Père Ritchot or the wisdom of the Church ; nor would it perhaps be unjust to Riel to attribute to that source most of what was unselfish or sustained in the movement. In what made for personal ascendancy, however—the prompt use of force, the subtle use of pretence and emotion, the substitution of threats and violence for a more candid and ordered movement—it seems impossible to overlook what even Bishop Taché at a later date called the ' unquenchable thirst for power,' the ' insensate pride ' of Louis Riel. Brilliant qualities were not wanting. Some of Riel's letters and proclamations are almost Napoleonic in their vigour, their adroitness, their appeal to the most sensitive side of his countrymen. Even Major Boulton, whose honour was recognized by Riel himself,[3] suggests that ' an honourable career might have been open to him ' ; but that there was a ' diseased vanity ' in the man, and a ' want of moral stamina . . . that has proved his ruin.' [4]

[1] Begg, *History of the North-West*, vol. i. p. 489 ; Smith's ' Report,' etc.

[2] See Smith's ' Report ' in *Recent Disturbances*, p. 152.

[3] ' I have spared Boulton's life at your instance, and I do not regret it, for he is a fine fellow.'—*Ibid.*, p. 156.

Boulton states that Riel actually offered him a position in the provisional government.—*Reminiscences*, p. 120.

[4] *Reminiscences*, p. 100.

VI

CONFEDERATION

IT was acknowledged on all sides that the 'proceedings of the Canadian government were unfortunate and injudicious and were caused by ignorance of the conditions'; but the colonial secretary afterwards commended 'publicly the singular judgment, decision, and conciliation . . . since this unfortunate outbreak.'[1] Two commissioners from Canada—Grand Vicar Thibault, who had spent more than thirty years in the North-West, and Colonel de Salaberry, son of the victor of Chateauguay—were sent on a mission of 'peace and conciliation.' Their papers, including a proclamation of December 6, were seized 'by order' by O'Donoghue, and Riel informed them through the 'Secretary' that their instructions from Canada failed to reveal 'any requisite powers to treat . . . with the people.'[2] 'The Very Reverend gentleman and his associate were politely bowed out and lost sight of.'[3] The quiet arrival of Commissioner Donald A. Smith, however, gave promise of a rational settlement. 'As an officer of the Hudson's Bay Company,' he was 'to assist, or, in case of emergency, replace, Mr McTavish.' 'Holding confidential relations with the Canadian Government,' he was in a position to enlighten the Métis with regard to the details of Howe's 'most liberal policy.'[4] Upon his arrival he was requested to take an oath not to 'restore the Government of the Hudson Bay Company,' and on his refusal was kept 'virtually a prisoner within the fort.'[5] His report, however, records 'frequent visits . . . from some of

[1] *Recent Disturbances*, p. 178. [2] *Ibid.*, p. 126.

[3] Smith's 'Report.'

[4] These assurances were to relate to 'civil and religious liberties and privileges' to be 'sacredly respected'; to 'properties, rights and equities of every kind as enjoyed under the Hudson's Bay Company'; to 'titles to the land,' to 'municipal self-government,' to the 'Formation of a Council,' etc. McDougall had 'instructions on all the above-mentioned points' before he left Ottawa.—*Recent Disturbances*, p. 36.

[5] Donald A. Smith to W. G. Smith, January 1, 1870.

the most influential and most reliable men in the settlement.' There was dissension between French and Fenian within the 'Council' of the Métis. Despite the support of the clergy, 'one after another of Riel's councillors seceded from him.' Riel sought in vain to secure the commissioner's papers; but Smith with customary caution had left them in safe keeping at Pembina. Refusing to give a written order for their delivery to Riel's messenger, he allowed his brother-in-law, Richard Hardisty, to bring them to the settlement. Near St Norbert Hardisty was met by Riel, Père Ritchot, and a few followers; but it was found that the president's party was in a minority. More than fifty of 'the well-affected party' of French Roman Catholics, suspecting that 'everything was not all right,' had left Fort Garry 'so quietly and quickly' that only Governor McTavish and Commissioner Smith knew of it, and were escorting Hardisty in safety to the settlement. There were threats of bloodshed, but the documents were safely delivered to Judge Black. 'It was then decided,' writes Begg, 'by the party who had effected the rescue that a public meeting should be held the following day to hear them read.'

On January 19, with the temperature twenty degrees below zero, Commissioner Smith placed the policy of the imperial and Canadian governments for the first time fairly before more than a thousand of the settlers in the courtyard of Fort Garry. It was seen in the light of a royal message, of letters from the governor-general, and of the candid assurances in Howe's instructions to McDougall, how 'mistaken' had been the 'anticipations of evil.' Riel, however, who acted as interpreter, seems to have regained control of the armed Métis. The account in the *New Nation* bears out Smith's report that the reading of the documents was 'contested with much obstinacy.' O'Donoghue was forced to produce the papers of Grand Vicar Thibault only by the general voice of the meeting. Riel found himself patiently outwitted. The commissioner was adroit, undaunted, and insistent. The meeting dispersed with 'the utmost good feeling.' 'Cheers were given and caps thrown in the air—French and English shook hands, and for the first time in many months, a spirit of

unity . . . appeared.' There was an agreement to call a convention of forty, twenty from either side, ' to decide what would be best for the welfare of the country.'

The convention sat from January 25 to February 10. Till February 3 Smith's ascendancy was on the whole maintained. News was received in Canada and in Great Britain that ' Riel had been deposed and the old Hudson's Bay Company Government reinstated.' The commissioner refused altogether to discuss the French List of Rights of December.[1] A committee[2] of the convention, representing the whole settlement, was appointed to draw up a List of Rights upon each clause of which the commissioner agreed to state his ' assurances,' ' in accordance with the views of the Canadian Government.' The *New Nation* contains an account of the discussion, which Smith afterwards stated to be sufficiently exact. The commissioner's report outlines the difficulties of his mission—the presence of armed guards, the refusal to allow him, in drawing up his replies, any ' reference to any document either written or printed except the "List of Rights."' ' A large majority of the delegates,' however, ' expressed entire satisfaction with the answers.' Smith brought his formal mission to a close by extending, on behalf of the Canadian government, an invitation to send ' a delegation of the residents of Red River to meet and confer with them.' The invitation was ' received with acclamation and unanimously accepted ' in a formal resolution. At this point, however, ' Riel and his partisans who were armed and in possession of the Fort,' made it clear that they had yet to be considered. Measures were taken which but for Bishop Taché's arrival, it will be seen, would have paralysed altogether the negotiations with Canada.

A crisis was reached as early as February 4 when Riel tried in vain to carry the convention in demanding full provincial status for the settlement. On February 5, in language ' violent in the extreme,' Riel proposed that the transfer

[1] Many of the English-speaking representatives ' never saw the Bill of Rights.' —The *New Nation*, January 28, 1870.

[2] James Ross, Dr Bird, Thomas Bunn, Louis Riel, Louis Schmidt, and Charles Nolin.

by the company be 'considered null and void' by the convention. 'The half-breeds of the people must govern. . . . If we do not all join in the present order of things there will be massacre.'[1] Even the chairman of the convention deplored the 'purely lunatic atmosphere' of presuming to revise 'arrangements made in a quarter where, I rather think, higher authority is held than you can touch.' Riel's motion was lost by five votes; he then openly defied the convention, 'with great warmth marching up and down the Council Chamber.' 'The devil take it,' he exclaimed, 'we must win. The vote may go as it likes. . . . There is a Provisional Government.'[2] After the defeat in the convention Riel plunged for a time into violence and intimidation. He 'heaped reproaches' upon Governor McTavish; Dr Cowan was ordered to 'swear allegiance to the Provisional Government,' on pain of death within three hours. Both Cowan and Bannatyne were seized and placed in confinement. Riel 'behaved,' says Begg, 'altogether like a madman.' The 'political prisoners' were hostages at Fort Garry.[3] Riel's party had field pieces and practically all the small arms in the settlement. 'Almost the total supply of powder,' the *New Nation* stated significantly, 'is in the hands of President Riel.' By February 10 the only choice lay not between the 'Provisional Government' of November 24 and the Hudson's Bay Company, but between the 'Provisional Government' of November and some *modus vivendi* in which Riel's autocratic methods could be tempered by other influences.

Riel himself opened the subject in a speech of much plausible moderation. There were 'dark, mysterious, dangerous rumours' of 'armed men gathering in the Lower Settlement' to release the prisoners. 'Our first step,' he urged, 'is union. . . . The Provisional Government is an actual fact. Why not recognize it?' The debate was prolonged far into the night. 'We have no option,' said James

[1] The *New Nation*, February 11, 1870. [2] *Ibid.*

[3] Several had escaped from gaol on the night of January 9; Dr Schultz on the night of January 23 escaped from the counting-house at Fort Garry and threw himself into the organization of a force in the lower settlement to co-operate with the 'Portage party' for the release of the rest of the prisoners.

Ross. 'It is our duty.' 'I am doubtful,' said Thomas Bunn, 'if we part to-night as we are, whether we will ever again have an opportunity of uniting.' A delegation sent to Governor McTavish brought back a refusal to delegate his authority, but the advice, 'Form a Government for God's sake and restore peace and order. . . . I am a dying man.' The committee which had drawn up the Bill of Rights was reappointed to nominate executive officers.[1] A determined opposition to Riel's presidency in the convention, however, occasioned a 'passionate outburst.' 'If the prejudices of your people are to prevail,' declared Riel, 'it will be in my blood.' One of the delegates remarked that 'it would suit our people very well to be let alone'; Riel retorted with a threat of 'war—war within fifteen days.'[2] No further opposition was made. There seems to have been no formal resolution establishing a provisional government;[3] and Riel took an oath of office as 'President of the Provisional Government proclaimed on the 24th November, 1869.' There was acquiescence, however, 'for the sake of harmony and good will.' The 'Provisional Government,' it will be seen, was never officially recognized as such by the Hudson's Bay Company in Great Britain, by the Canadian government, or by the imperial government.[4] 'Any argument,' wrote the colonial secretary, 'based on the view of such things being possible, is, in my opinion, not even worthy of discussion.'[5] At Red River, however, the compromise was received with 'general enthusiasm.' 'The firing and cheering were prolonged until late in the night.' Judge Black, Père Ritchot, and A. H. Scott were 'appointed by the Convention'

[1] Practically all the officers but the collectors of customs (John Sutherland and Roger Goulet), the secretaries (Thomas Bunn and Louis Schmidt), the treasurer (W. B. O'Donoghue), and chief justice (James Ross) were the old officials under the company.—The *New Nation*, February 18, 1870. [2] *Ibid.*

[3] *Ibid.* 'I cannot say any subsequent resolution was passed to that effect.' —Evidence of Xavier Pagé in *Trial of Lépine*, p. 76.

[4] It is obvious that Governor McTavish's advice could not confer—and was definitely intended not to confer—any legal status upon the provisional government of November, however completely it might be held to justify acquiescence in February. No private conversation of any official of the company or of Canada could confer 'official recognition.'

[5] January 7, 1875, in reply to a claim for amnesty because 'the authorities who ordered Scott's execution were a *de facto* Government.'

for the delegation to Ottawa.[1] Dr Cowan and Bannatyne were liberated; about fifteen of the 'political prisoners' were released on parole.

The retention of the others, however, increased a rooted distrust of Riel's candour. The prisoners were liberated only after a party of more than seventy-five men had been organized at Portage la Prairie to set them free by force. The Portage la Prairie party was joined at Kildonan by more than three hundred men; and the liberation of the prisoners, in the face of this hostile force, was attributed to fear and not to fair play. The Portage la Prairie party, restrained by moderate counsels, was returning with arms in their sleds when an armed party issued from Fort Garry and escorted forty-eight of them into the fort. The Métis were a second time united by danger. Major Boulton was thrown into chains and with three others was sentenced to be shot. Intercession from practically every man of influence in the settlement procured only the postponement of Boulton's execution till midnight of February 19. Ross the 'Chief Justice' was 'repulsed in the most contemptuous manner.' Smith, convinced that Riel was now determined to terrify the settlement into submission by bloodshed, procured a reprieve only after two hours of argument, marked, on Riel's part, by determination and 'much feeling.'[2] The commissioner undertook to induce the settlers to proceed with the election of delegates. 'Every man's life,' writes the commissioner, 'was in the hands of Riel! . . . By this means they might to some extent control the course of events, while otherwise they were powerless.' The elections took place on February 26. It seemed as February closed that a provisional government under Riel's presidency was at last an established fact.

The month of March, however, opened with misgivings. The Indians in the West were restless. Day followed day after the elections and no council was called. The delegates were not sent to Ottawa. Even Bishop Taché's return was

[1] Evidence of Thomas Bunn, *Trial of Lépine*, p. 69.

[2] 'Canada has disunited us, will you use your influence to re-unite us? . . . Without this it must be war—bloody civil war! . . . On your success depend the lives of all the Canadians in the country.'—Smith's 'Report.'

awaited with apprehension. 'It is highly unlikely,' observed the *New Nation*, that the interference of any one would be for a moment tolerated.' It was known on the morning of March 4 that Bishop Taché was at hand. On the same day the crisis was precipitated by an act which destroyed 'all hope of a sincere union between the French and English' and extinguished for Riel all prospects of an honourable career in public life.

It will not be necessary to repeat here what is known of Thomas Scott. He had quarrelled with his chief, Snow, over his wages; he had been sent as a messenger from Dr Schultz's warehouse and had been detained a prisoner; he had escaped on the night of January 9 and had been recaptured with the Portage la Prairie party on February 17. It was stated that he had reviled the president and had resisted his guards. It must be stated, on the other hand, that Scott had never been taken under arms; that he attributed his capture in both cases to foul play; that Riel had specifically promised the commissioner not only the lives but the release of all the prisoners; and that there were instances of degrading insults forced upon several of them.[1] Scott was an adept at ridicule and horseplay; there is evidence that his violence was verbal rather than physical. The Canadians, said Riel, 'had laughed at and despised the French half-breeds, believing that they would not dare to take the life of any one'; Scott himself was 'abusive' and 'insulting' to the president.[2] No attempt was made, however, to utilize the influence, previously volunteered, of the commissioner and Archdeacon McLean to quiet the prisoners. The elections had taken place on February 26; the council was not called; the officials nominated by the committee of the convention were not consulted. Even the 'chief justice' was not present at the 'trial.' 'Even the decencies of an ordinary drum-head court-martial,' wrote Lord Dufferin in 1874, 'were disregarded.' At the trial of Lépine in 1874, Joseph Nolin, secretary of the adjutant-general, testified that 'Riel was the only accuser'; that he was 'sworn to prove his charge'

[1] Boulton, *Reminiscences*, p. 125; Young, *Manitoba Memories*, p. 156.

[2] *Recent Disturbances*, pp. 154, 156.

by Nolin himself; that when after 'trial' Scott was summoned, 'Riel made the charge against Scott verbally' and was 'the only man who spoke.'[1] Scott was charged with insubordination and with breaking parole. No counsel was allowed; no opportunity was given of defending himself; no evidence was produced upon one charge at least which is now known to have been altogether unfounded. Scott 'never took an oath of any kind of Riel's proposing.' The prisoner was condemned to death by five out of seven votes. 'Riel announced what the sentence was, where and when to be executed.'[2] The court-martial was held on March 3; Scott was condemned to be shot at noon the next day. At eleven o'clock, when the commissioner was informed of the sentence, he believed it 'too monstrous to be possible.' Scott himself believed that 'they merely intended to frighten him.' Riel, however, was not to be moved. Protesting against 'cold-blooded murder,' Scott was led outside the eastern gate of the fort and was shot by six men, several of whom were intoxicated, one of whom refused to prime his rifle, and one of whom discharged a pistol at the prisoner as he lay moving upon the ground. The body, refused to friends for burial, was secretly disposed of, while the empty coffin was buried in the courtyard of Fort Garry. The death of Scott 'struck horror,' writes Begg, 'into the minds of all classes in the settlement.' When Smith reached Ottawa with the 'bad news,' the governor-general informed the colonial secretary by telegraph. 'It is quite clear,' he added, 'Riel will yield to nothing but force.'[3]

Neither religion nor race can account for the obloquy that has rested upon Riel's name from the death of Scott. Chapleau, whose brilliant defence of Lépine in 1874 brought him into touch with the fullest evidence, calls the court-martial of March 3 a 'mock trial,' and stated in the House of Commons that he 'knew that Riel had been guilty of . . . murder.'[4] Informed of Bishop Taché's approach, 'he did not hesitate to throw a dead body between his brother half-breeds and the conciliation which the holy missionary was

[1] *Trial of Lépine*, p. 59.
[2] Nolin's evidence, *Ibid.*
[3] *Recent Disturbances*, p. 115.
[4] March 24, 1886.

bringing with him.'[1] Even Cartier wrote that 'the killing of Scott was an excessive abuse of power and cruel barbarity.' Bishop Taché, in advocating a complete amnesty, urged that Scott's death 'should be ascribed to inexperience and not to cruelty and barbarity.' Lord Dufferin, however, wrote to the colonial secretary that 'the killing of Scott was not an exercise of jurisdiction known to any form of law. . . .'[2] All the special pleading in the world will not prove the killing of Scott to be anything else than a cruel, wicked and unnecessary crime.' Even had the deed been surrounded by all judicial formality, circumstances were such as to force into prominence the implication of base motives. It was stated to 'ex-President' Bruce that they would 'put a couple to death before releasing' the prisoners.[3] It was known that Bishop Taché's influence was dreaded by Riel on grounds of personal ambition, and by O'Donoghue, whose aim had been to sweep the insurrection into the Fenian movement. Edward Blake observed that the death of Scott on the only charge proved against him resolved itself into 'personal revenge.' Riel 'could not have taken a surer step to give his enemies a victory over him,' writes Begg, 'than when he committed this vile deed.'

Bishop Taché arrived on March 8 and the palace at St Boniface was placed under guard. The aims of Riel and the influence of O'Donoghue at this point are difficult to gauge beyond the fact that submission to Canada was no longer tolerated. 'The idea of negotiation as entertained by the Convention,' writes Bishop Taché, 'had been abandoned.'[4] Armed resistance was contemplated. Without prompt measures, wrote Bishop Taché, 'something more than an amnesty would have to be dealt with.' Sir John A. Macdonald, on February 16, had promised a general amnesty in accord with the proclamation of December 6, 'if the Company's Government is restored.' Despite the execution of Scott in the meantime, Bishop Taché pronounced 'a complete

[1] Hon. J. A. Chapleau, *The Riel Question*, November 28, 1885.

[2] '. . . But an inhuman slaughter of an innocent man, aggravated by circumstances of extraordinary brutality.'

[3] Bruce's evidence, *Trial of Lépine*, p. 59.

[4] *The Amnesty Again*, 1875.

amnesty,' convinced that nothing less would save the situation. He was 'warned without delay' by the Canadian government 'that they repudiated the responsibility.' 'It is impossible to admit,' wrote the colonial secretary, 'that he had any sufficient ground for believing that the Crown, or the Colonial Government acting for the Crown, did or could delegate to him . . . or indeed to any one . . . an unlimited power of pardoning crimes of whatever atrocity not even known to have been committed.'[1] There is evidence that Bishop Taché was conscious of exceeding his powers, but it must be urged that the future welfare of his people depended upon his decision, and that the Canadian government 'repudiated the responsibility' only after the 'much-contriving' Sir John A. Macdonald had secured all the practical benefits of Bishop Taché's assurances.

Bishop Taché's influence was quickly felt. The council which met at length on March 15 was addressed by the bishop, at whose request 'as an act of grace' the liberation of prisoners was partially carried out on March 16. On March 18 Smith was allowed to depart for Canada. The Bill of Rights of January was discarded; a new list, embodying for the first time the claims for separate schools, was secretly drawn up by Riel and his 'executive.'[2] This was not known to the English-speaking population of the settlement till the publication of the secret List of Rights by Bishop Taché in 1889. It is to be noticed indeed that the list of terms and conditions submitted at Ottawa by Judge Black, signed by Thomas Bunn, and forwarded to England for publication in the British blue-book,[3] was not the secret

[1] January 7, 1875.

[2] Bishop Taché's letter, *The Amnesty Again*, 1875. This 'executive,' it need scarcely be pointed out, was authorized neither by the council elected on February 26, nor by the convention which acquiesced in provisional government in January, nor by any other representative body to submit rights to Ottawa in the name of 'the People of Assiniboia.' Judge Black had been induced to act as delegate by Commissioner Smith on March 16, when the old list was supposed still to form the basis of negotiation.

[3] *Recent Disturbances*, p. 130. The governor-general refers to this list as a 'Copy of the terms and conditions brought by the Delegates from the North-West which have formed the subject of Conference.'—Young to Granville, April 29, 1870.

list which was used at Ottawa by Père Ritchot and which was, as Bishop Taché says, 'exclusively the work of the Executive of the Provisional Government.' The fact that in selecting delegates Riel 'maintained the choice already made' by the convention, and that a list of rights corresponding with Judge Black's was issued in French and dated March 23, 1870, 'Maison du Gouvernement,' served further to conceal the demand for special privileges. It was on March 23, indeed, that Père Ritchot and Alfred H. Scott left for Ottawa. Judge Black followed on March 24.[1] The arrangement of terms thus passes to Ottawa. Riel was left in control at the settlement.

The negotiations at Ottawa began in a storm of indignation caused by the death of Scott. Two of the delegates were arrested; the government, whose 'sole object was the peaceable acquisition of the country,' retained counsel for the defence and secured their release. The delegates were received officially by the secretary of state as 'delegates from the North-West,' though it is seen that 'official recognition' was carefully denied the provisional government.[2] The Manitoba Act was passed on May 12. As early as March 5 a joint British and Canadian military expedition had been agreed upon for the following summer.[3]

The affairs of the settlement may be traced briefly from the departure of the delegates. The council formally resolved, 'without disregard to the Crown of England,' that a provisional government as 'the only acting authority in the country' was necessary 'for the protection of life and property,' and that those who had held office 'under the Governor and Council of Assiniboia be appointed and empowered to

[1] 'It was through me that they received the money for their travelling expenses.'—Archbishop Taché, *The Amnesty Again*, 1875.

[2] The commissioner had extended the invitation to send delegates only to the convention. Sir Clinton Murdock, the British commissioner for the settlement of the Red River difficulties at Ottawa, states that Riel's instructions in writing to the delegates making the result of the negotiations 'subject to confirmation by the Provisional Government . . . would have involved a recognition of Riel and his associates. Under these . . . circumstances there was no choice but to reject these terms.'

[3] Granville to Young, *Recent Disturbances*, p. 175.

act in their several capacities.'[1] From this point the settlement resumed something of its normal appearance. The *New Nation* began to fill its columns with 'illuminating quotations' from Dr Schultz and Charles Mair culled from Canadian papers. Annexation disappears from its pages, replaced by the elaborate laws of the 'Legislative Assembly of Assiniboia.' On April 6 the Hudson's Bay stores were reopened, only, however, after Governor McTavish had been forced by Riel to a loan of £3000, a prospective loan of £2000 in case of disagreement with Canada, the use of stores from Fort Garry to the value of £4000, and finally an agreement that 'the whole of the Company in the North-West shall recognize the Provisional Government.' The pressure brought to bear is outlined in McTavish's letter to the company in London: 'Compliance affords our only chance of avoiding immediate inevitable destruction.'[2]

Generous distribution of funds and stores, however, proved insufficient to keep the 'assembly'[3] and the Métis in attendance at Fort Garry. In April Riel raised the Union Jack; but with news from Canada there was a veritable migration of the Métis and their supporters. Riel himself, a prey to uncertainty, was left with a corporal's guard at Fort Garry. Archbishop Taché wrote that the troops were coming 'to aid us,' and that they had 'friends, sincere, devoted and powerful'; the British troops and the Quebec volunteers were not unfriendly, but the Ontario militia had enlisted in response to the wave of indignation after the death of Scott. When the regulars on the morning of August 24 began their march from Point Douglas, through the deep

[1] The *New Nation*, April 15, 1870. This, it may be noticed, was the arrangement under the Rupert's Land Act of the imperial parliament which McDougall had enjoined upon Governor McTavish in December. See pp. 62, 76.

[2] The stores at Fort Garry had been carried off 'in vast quantities without let or hindrance'; there were threats of intercepting the 'returns of Athabasca and Mackenzie River Districts and of plundering every Fort along the route.' 'The Company's people in the Red River District were to be turned out of their Forts, and all property, whether personal to themselves or belonging to the Company, confiscated.'—McTavish to Smith, April 6, 1870, *Recent Disturbances*, p. 215 *et seq.*

[3] Members of the assembly were to be paid £1 per day, 12 shillings to begin with and the rest 'at the completion of said (further) arrangements.'—March 25, 1870; the *New Nation*, April 15, 1870.

mud and a deluge of rain, to Fort Garry, it was found that Riel and his immediate followers had fled. The provisional government had disappeared. A vindictive Nemesis, it would almost seem, followed in its wake. O'Donoghue appeared again for a brief space in the ignominious Fenian raid of 1871. Riel ended a restless and unbalanced career on the scaffold, tainted by ignoble motives and discredited by the men he had deceived. The cost of the insurrection of 1869, in money and in religious and racial hatred, can scarcely yet be computed. Even the apparent gains—to the Métis in the form of reserves and to the Roman Catholics in clause 22 of the Manitoba Act—seem to have been pursued by some evil fortune. The thrifty settler bought the half-breeds' scrip; the half-breeds themselves retreated before the wave of immigration—to fight again in vain under their old leader at Batoche and Cut Knife. It may be said that the party in the Canadian Confederation which was responsible for the Manitoba Act owed its overthrow in 1896 to the Remedial Bill which that act authorized, while the Roman Catholic minority in Manitoba still awaits a deliverer.

Charles Martin

POLITICAL HISTORY OF MANITOBA, 1870-1912

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I

ORGANIZATION

THE actual assumption of authority by Canada in Rupert's Land was delayed for more than a week after the arrival of the troops. The insurgents, indeed, with plausible logic but with a show of free-will not altogether convincing, claimed, 'from 15th July, 1870, to 24th August following,' to have 'governed on behalf of Canada her Province of Manitoba and her North-West territories';[1] but though the British regulars under Colonel Wolseley reached the settlement on August 24, 1870, three days before the Ontario volunteers, the hurried departure of Riel and O'Donoghue, in default of an amnesty for the death of Scott and for the prodigal distributions of Hudson's Bay stores, was an indication that the attempt to preserve even the semblance of provisional government had at last broken down. Pending the arrival of A. G. Archibald as lieutenant-governor, the administration on behalf of the company fell to Donald A. Smith. Co-operation with Colonel Wolseley quickly restored confidence. To Governor Archibald, who on his arrival by canoe on September 2 was 'kindly but not enthusiastically received,' fell the more delicate task of directing the conflicting forces pent up within the settlement.

The regulars left Fort Garry on the morning after the governor's arrival. It became evident that the French were distrustful and suspicious. Bishop Taché's promises of

[1] 'Louis Riel's Case' in the Montreal *Gazette*.

amnesty remained unfulfilled despite a journey to Ontario and the assurances to Riel of 'friends, sincere, devoted and powerful,' and of friendly troops 'to aid us.'[1] The Canadian settlers and the Ontario volunteers, notwithstanding the most rigid military discipline, began to threaten violence if the death of Scott were allowed to pass unavenged. When Goulet, one of those implicated in the death of Scott, appeared in the village of Winnipeg, he was pursued to the river-bank and drowned before he could reach the other shore. Others, said Governor Archibald, were 'so beaten and outraged that they feel as if they were living in a state of slavery.'[2] Between the overwhelming Protestant sentiment of Ontario and the goodwill of Quebec, upon which not only the government of the day but the stability of the newly formed Canadian Confederation seemed to depend, the Canadian government heard of the flight of Riel, Lépine, and O'Donoghue with well-disguised relief. The adroitness of Sir John A. Macdonald was less objectionable to his party because it was felt that, in order to coerce the ministry into procuring quietly from the imperial government a complete amnesty before the arrival of the troops, the embarrassment of the Canadian government had been exploited by promising in its name a thing which it had no power to grant, and which, in application to a capital offence, there could have been no occasion even to discuss at Ottawa on Bishop Taché's return from Rome. The chief reason, moreover, urged in support of that promise —the fear that otherwise 'something more than an amnesty would have to be dealt with' through the influence of 'parties . . . from the United States'[3]—could not be avowed with dignity by a government towards an armed insurrection. 'It is perhaps the best solution of the question,' wrote Archibald to Sir Georges Cartier, 'that these men have taken to flight.' By warding off prosecutions for the death either of Scott or of Goulet, the 'amnesty question' was postponed for settlement 'by and by,' though Bishop Taché was 'fretting at the delay,' and secret meetings were being held

[1] Sir Georges Cartier was minister of Militia.

[2] *Report of Select Committee.*

[3] *The Amnesty Again*, 1875; *Report of Select Committee.*

among the Métis at Rivière Sale and at St Joseph across the American border.

The organization of provincial government began from the foundations in a community hitherto unaccustomed, except in the erratic course of the insurrection, to the most elementary principles of responsible government. A census begun in October gave the population of the province as 11,963, of whom 1565 were white, 558 were Indians who had settled upon the land, and 9840 were Métis, French and English. Of the white population of 1565, less than half were natives of the North-West, nearly 300 were Canadian, less than 250 were Scottish, 125 were English, 69 were from the United States, and 62 were from Ireland and France. Writs were issued for the first provincial election for a legislative assembly on December 30. Early in January an executive council of five, under the leadership of H. J. Clarke as attorney-general, took over the administration of the province in a house of twenty-four members. A legislative council of seven formed the 'Upper House,' one of the dearly bought 'safeguards of the rights of minorities.' An account of the first session of a Canadian representative assembly west of the Great Lakes has been left by the first leader of the opposition. The chamber was the largest room of a private residence. The opening, delayed till March by the difficulties of organization and, it is added, by the 'non-arrival of the Windsor uniform,' took place with very creditable dignity. 'This auspicious occasion,' writes a member of the legislature, 'ushered us into a new state of civilization.'

The enterprise which transformed the straggling village of thirty houses in 1869 into the incorporated city of Winnipeg in 1874 scarcely lends itself to adequate appreciation except through the customs returns, the alert 'commercial intelligence' of the local newspapers, and the unmistakable evidences of material prosperity. Governor Archibald's policy of studied conciliation gave promise of co-operation if not of concord. Musical and dramatic entertainments by the volunteers met with a generous response on the part of the settlers. The forty-three acts of the first session of the legislature formed a promising beginning after the patriarchal

rule of the Hudson's Bay Company. There were acts for the incorporation of colleges and companies, for the establishment of courts and a system of education, for validating the company's survey of the Red River Settlement, for the regulation of electoral districts and the sale of real estate, and for the practice of law and medicine. The fact, however, that both forms and precedent came from without, and that this veritable transformation was the result of appropriation rather than of organic growth, left many of the old forces latent and inarticulate beneath the first bewilderment of responsible government. The French Métis, who had been clamouring for representation in the Council of Assiniboia, now relinquished the leadership to men trained for the defence of their race and religion in the arena of Canadian politics. The guardians of French interests urged in vain the advisability of 'measures to retard immigration,' though the delays of the federal government in completing the surveys, interrupted by Riel and his fellow-obstructionists in 1869, unavoidably impeded the allotment of homesteads for new settlers and of the 1,400,000 acres set apart for the Métis. The Dominion government, by order-in-council of May 1871, agreed to recognize settlement made in advance of the government surveys. 'The population was land hungry,' says Begg, 'and the staking out of claims became a popular mania.' Notices of claims in scores appeared in the columns of the *Manitoban*; notice-boards were to be seen almost beneath the walls of Fort Garry until the Dominion lands agent, Gilbert McMicken, arrived, in the autumn of 1871, with the announcement of 'impartial justice' in carrying out the 'requirements, terms, and provisions of the Manitoba Act, as it affects the public lands, in spirit and to the letter.'

The patient policy of conciliation found little support among those of the dominant party who had borne the burden and heat of the day. Even the liberal provisions of land for the Métis encountered much illiberal criticism in the cause of 'equal rights to all and favours to none.' Many modifications were made in the original plans. The method of selection by lot was undoubtedly a hardship to those who wished to perpetuate French solidarity in race and religion.

Grants were eventually made *en bloc*, and transferable scrip was issued to the heads of families. The French Métis, however, accustomed under the company to the pampered life of the plains, found that easy credit was no longer to be obtained in the stringent commercial life of a progressive community. The buffalo hunt lost its importance. Even the Red River cart of the 'freighter' could no longer compete with the river steamship, the flat-boat, and the 'prairie schooner' of the enterprising settler. Resentful of the unqualified charges of rebellion and unequal to the strenuous pace of the new era, the Métis began to retreat in sullen aloofness to Prince Albert and Duck Lake, where the buffalo grass of the prairie meets the wooded country of the north. The half-breed's scrip found its way into the hands of the speculator. The leaders of the Métis beheld with bitterness the thoughtless jests of their opponents before the insurrection being slowly fulfilled before their eyes. The imminence of the forces that threatened to submerge them gave an aspect almost heroic to the resistance of 1869. Much less than this would account for the honour accorded to the leaders of the insurrection among the defenders of a historic race and a historic religion.

The return of Riel to Red River was a signal for the renewal of councils among the Métis of St Norbert. O'Donoghue meanwhile endeavoured to concentrate across the boundary the Fenian forces with which he had sought from the first to identify the insurrection. As early as August 1871 the *Manitoban* noticed rumours of Fenian preparations under 'General' O'Neill and O'Donoghue. The United States consul, J. W. Taylor, seems to have been fully apprised of the movement in September. Captain Wheaton received official instructions from Washington authorizing him to defeat the project without ceremony. From the Fenians themselves little danger seems to have been apprehended. The newly appointed Dominion lands agent, then on his way to the settlement, informed Bishop Taché, who had just left Red River for Ottawa, that there were not more than seventy men at Pembina, 'and probably not half that number'; that there was 'nothing to fear from outside forces; all

would depend on how it stood with the Métis and others within the province.' It is evident that O'Donoghue was relying upon the general support of the insurgent party. In a letter to the speaker of the House of Commons in 1875, indeed, he affirmed that the movement was merely 'a continuation of the insurrection,' that he held a 'commission authorized by a resolution of the Council held at Rivière Salle, in September, 1870, at which Louis Riel presided,' and that his commission was 'signed by the officers of the Provisional Government of the French party.' There is evidence, however, that O'Donoghue, an exiled and disappointed man in 1875, failed in 1871 to consider the American authorities or the influence of Bishop Taché and the agitation for amnesty directed by the Roman Catholic clergy.[1] The 'raiders,' about forty in number, took possession of the Hudson's Bay post at Pembina on the morning of October 5; but Captain Wheaton appeared with American troops and informed Consul Taylor that he had captured '"General" J. O'Neill, "General" Thomas Curley and "Colonel" J. J. Donnelley.' 'I think further anxiety,' he added, 'regarding a Fenian invasion of Manitoba unnecessary.' O'Donoghue was captured on Canadian territory, but either by mistake or by design was taken across the border and placed in the hands of the American authorities.

The interest of the 'Fenian Raid,' however, centres in the Métis of Manitoba. The departure of Bishop Taché just before the crisis is only one of the indications that 'with consideration' the Métis were prepared to part company with their allies of the insurrection. A proclamation of Lieutenant-Governor Archibald on October 3 was responded to by the inhabitants of Kildonan and Winnipeg 'almost to a man.' On October 4 the position of Riel formed the subject of an interview between Governor Archibald and Père Ritchot. 'I do not believe,' wrote Père Ritchot on the following day, 'that he should place himself at their head unless he had some guarantee that his proceeding would be looked upon

[1] 'I perceived at once that he was endeavouring to deceive me.'—Bishop Taché on the 'Fenian Raid,' *Free Press*, November 7, 1888. Bishop Taché met O'Donoghue at Georgetown on September 26, 1871

with favour by your Excellency.' Governor Archibald replied that the 'co-operation of the French Métis and their leaders in defence of the Crown . . . will be very welcome, and cannot be looked upon otherwise than as entitling them to the most favourable consideration.' On October 7 Riel, Lépine, and Parenteau, in a joint letter, informed the governor that several companies had 'already been organized,' that others were 'in process of formation,' and that the Métis, 'without having been enthusiastic,' had been 'devoted.' The Winnipeg volunteers left for the border under Major Irvine on the evening of October 6, marching through deep prairie mud, made almost impassable by torrents of rain, only to hear that the 'raid' had already been broken up. When it was found, however, that more than three hundred and fifty Métis, assembled at St Boniface on Sunday, October 8, had been reviewed by the lieutenant-governor, and that Riel and Lépine had been thanked in public and shaken by the hand by the representative of the crown, the indignation of the British volunteers could scarcely be restrained. The *Liberal* denounced the act as the 'climax of insult to loyal men in the Province.' The incident at St Boniface, virtually committing the government, it will be seen, to pardon after trial if not to a complete amnesty, concentrated against Governor Archibald the force of popular indignation at Winnipeg and in Ontario, demanding retribution for the death of Scott.

It may safely be said that the results of a wise policy of conciliation were in no small measure destroyed by the glaring and unnecessary injudiciousness of the public handshaking at St Boniface. Nothing could more effectively have disarmed the spirit of vindictiveness at Winnipeg or secured the favour of the imperial government than loyal French co-operation, which, it is now seen, was deliberate and in all good faith. The tardiness of the mobilization of the Métis, however, together with the compromising manner of the premature official recognition of their services, invited upon both the governor and the Métis criticism that was much less than just and far from generous. That Riel had used his influence, not without result, in organizing a loyal demon-

stration against his former colleague can admit of no doubt. The fact that it was obviously in his own interests so to act in the cause of amnesty, and that, from the first, subservience to the erratic 'generals' of the Fenian movement could offer few permanent inducements either to Riel's personal ambition or to the cause of French nationality in Manitoba, does not detract from the negative results, at least, of that demonstration. Success by the Fenians was impossible with less than active support from the well-armed and well-trained Métis. It is true that delegates from the council of the Métis were sent to the secret council of the Fenian party; but the recently published minutes of the meetings of the Métis in October[1] prove that the decision to support the provincial government was formally reached before the result of the delegation to the American border was known, though not before the enlightening correspondence between the governor and Père Ritchot. Governor Archibald, indeed, refused even in 1874 to believe that 'if the half-breeds had taken a different course . . . the province would now be in our possession.'[2] It seems impossible at this day to admit that an ill-considered raid, even with the aid of marauding railway navvies from Minnesota, could have contended successfully with all the forces of the British Empire, supported by the influence of the Roman Catholic Church in Manitoba and the active and avowed official co-operation of the United States. The good judgment of Riel, at least, and the general attitude of the Métis are alike unmistakable. Even if, as Riel suggested, none could expect them to be 'enthusiastic,' they had at least been 'devoted' before it was known that the 'raid' had completely and ignominiously failed. 'I am perfectly satisfied,' says Archibald, 'that the prevailing impression among the French as among the English was that there was to be a fresh raid.'[3] 'I also,' wrote Bishop Taché, 'have taken pains to find out the truth, and I have no hesi-

[1] *Aux Sources de l'Histoire Manitobaine*, Rev. A. G. Morice, O.M.I., *La Nouvelle France*, Quebec, 1907-8.

[2] *Report of Select Committee on the Causes of the Difficulties in the North-West Territory in 1869-70*, 1874.

[3] 'And that the action of the French was not based on the idea that the affair was over.'—*Ibid.*

tation to repeat here that I am entirely satisfied that the Métis acted in perfect good faith.'[1]

After the official attitude of Governor Archibald, the 'amnesty question' became more than ever the shuttlecock of party politics. The opposition in Ontario exploited the issue to embarrass the federal government and to drive the provincial government of Sandfield Macdonald from office. The federal government avowed their support of amnesty in private, preserved in public an attitude of virtuous indignation against the slayers of Scott, and supplied money to Bishop Taché to ward off their embarrassment by hiring the chief offenders to leave the country. When news reached Winnipeg that the new government in Ontario had offered a reward of $5000 for the arrest and conviction of the 'murderers of Thomas Scott,' Governor Archibald wrote of renewed meetings of the Métis 'in each French parish' with 'but one feeling . . . on the subject.' 'Happily,' he continued, 'it is difficult to find a magistrate who does not hesitate to issue warrants which may lead to fatal consequences.'[2] The difficulties were increased by the temerity of Riel himself. His candidature for the House of Commons for Provencher in 1872 was avoided only by strong persuasion and the consent of Sir Georges Cartier to represent the constituency. At the death of Cartier, Riel was elected by acclamation at a time when the machinery of the courts had at last been set in motion and his colleague Lépine was being tried for the death of Scott. The defence of Lépine before a jury almost exclusively of Métis was conducted with great brilliancy by J. A. Chapleau and Joseph Royal; but a verdict of guilty forced the 'amnesty question' before the government for a final decision. Riel, an outlaw after the conviction of Lépine, had fled the country; but having been elected for the House of Commons after the resignation of the Macdonald administration, he had the hardihood to sign the register of members and to take oath before his identity was generally known. Warned by the intense indignation of the members, Riel quickly disappeared; and 'having refused to attend in

[1] *The Fenian Raid, An Open Letter*, November 7, 1888.
[2] Archibald to Cartier, February 24, 1872.

his place,' he was expelled from the house by a majority of fifty-five votes. The Mackenzie government, however, found the 'amnesty question' as troublesome when in power at Ottawa as they had found it useful in opposition. The results of inquiry by committee, moved by Donald A. Smith, proved of greater value to the historical investigator than to a perplexed ministry. The issue was at last brought to a decision only by the direct interference of the governor-general.

Lord Dufferin, acting upon his own responsibility, commuted the sentence upon Lépine to imprisonment for two years and forfeiture of political rights. An exhaustive review of the claims for a general amnesty evoked from the Colonial Office a complete refutation of the two chief contentions upon which those claims had been founded. Any recognition of the death of Scott as the legitimate act of a provisional government was 'not even worthy of discussion'; while even Dufferin's tribute to 'the purity of the motives' and the 'self-sacrificing patriotism' of Bishop Taché could not alter the impossibility of admitting 'that he had any sufficient ground for believing that the Crown, or the Colonial Government acting for the Crown, did or could delegate to him, or to any other unofficial person, or, indeed, to any one, as to a plenipotentiary, an unlimited power of pardoning crimes of whatever atrocity, not even known to have been committed.' Lépine's reprieve was commended upon grounds already mentioned: it was not 'competent for us to go behind' the act of an 'undoubtedly able, prudent, and conscientious man,' who, as the representative of the crown, had publicly and officially condoned the prisoner's conduct. A resolution was passed in the House of Commons praying for a general amnesty for all but Riel, O'Donoghue, and Lépine. Riel was declared an outlaw, and, after simulating insanity and being confined under an assumed name in the asylum of St Jean de Dieu at Longue-Pointe, he practically disappeared from Canadian history till he returned from the United States to share in the rebellion of 1885. With the disappearance of the personal issues of the insurrection, there remained only the slow and obscure conflict in the working out of the provisions of the Manitoba Act.

It would be little to the purpose to follow the details of the obscure local issues which filled the period of organization and early discipline in provincial administration. Lieutenant-Governor Archibald's resignation was considered imminent early in 1872, though it was not till December that Alexander Morris, who had been 'entrusted with the task of establishing law and order' as the first chief justice of Manitoba, succeeded to the governorship. The three administrations during Governor Morris's term of office brought the province through a period of great poverty in provincial finance, of phenomenal growth in material prosperity, and of creditable results in educational progress. The insidious animosities of the insurrection were still to be traced in the turbulence of the elections and in the cross-currents of race and religion within the legislature. The administration of Attorney-General Clarke rested upon French support, till the prosecution of three Métis for complicity in the Fenian Raid of 1871 evoked a bitter attack from *Le Métis*, the French newspaper under the able guidance of Joseph Royal, and led to an organized attempt to exert French influence through French and Roman Catholic channels. With the loss of French support, there was a renewal of opposition to the administration, exerted with added effectiveness through the secret organization of the 'Grangers.' A vote of want of confidence drove the Clarke government from office in 1874. The resignation of Marc A. Girard, the new premier, took place before the close of the year, and the Davis administration began four critical years of office with a programme of economy and retrenchment.

The limited resources of the provincial treasury, with a subsidy from the Dominion 'not enough to pay the expenses of running a respectable sea-side hotel,' forced the government to an economy which bordered upon parsimony. There were proposals for the reduction of sessional indemnity to members of the legislature to $200, for the abolition of the legislative council, for the 'reduction of expenses in connection with the administration of justice,' and for the 'entrusting to Crown Counsel the conduct of all prosecutions under a tariff of fees of a reasonable but yet economical amount.'

The inclusion in the cabinet of John Norquay, the leader of the opposition, and of Charles Nolin was interpreted as a 'sensible move' in the interests of procuring from the Dominion government a 'recognition of the vital interests of the Province.' The movement for 'better terms'—from that day almost a continuous agitation, which even at the present time can scarcely be said to have been finally composed—will require more than passing notice. Even the reforms of the Davis administration were based upon a zeal for economy which swept away landmarks of the Manitoba Act. A bill for the abolition of the 'Upper House' was introduced by Norquay in the session of 1875, but was lost in the legislative council by a casting vote. Influence was brought to bear, however, and in the session of 1876 the legislative council voted itself out of existence. An agitation meanwhile for a department of Education and a 'purely non-sectarian system of Public Schools' to replace the old Board of Education introduced the 'Manitoba school question,' which twelve years later overshadowed all other disputes in the province, and became in 1896 a federal issue.

The term of office of Governor Morris closed fittingly with the first visit of a governor-general to Manitoba. During nearly one thousand miles of travel by the Earl and Countess of Dufferin within the province, by carriage and Red River cart, steamship and canoe, a searching but unpretentious interest in the conditions of the pioneer accomplished—further perhaps than could be maintained—the unification of an already diversified people. Phrases appeared in the press and passed into salutary tradition—the 'susceptibility and sensitive self-respect' of the Métis; the 'ambassadors between the East and the West'; the 'intellectual ability' of the Icelander; the 'frugal and superlatively industrious' Mennonites, 'affected to tears' by Lord Dufferin's welcome; the co-operation of religions and races in Governor Morris's favourite project, 'a University under conditions . . . declared impossible of application in other Provinces of Canada . . . in any other country.' A pardonably enthusiastic forecast of the destiny of the province, 'from its geographical position and its peculiar characteristics the keystone of that . . .

arch of sister Provinces which spans the continent,' diverted much attention from past grievances to future responsibilities, and awakened perhaps for the first time an attachment to Confederation hitherto qualified by race or religion or political partisanship. So much of political importance it would be unjust to confuse with the transient impressions of a holiday. With the appointment of Lieutenant-Governor Cauchon there was a recurrence of the older catchwords—'equal rights,' 'treaty rights,' 'loyalty,' and 'rebellion'; but prospects of railway development and of prolific harvests concentrated for three years the energies of the province upon the 'rapid and ungovernable strides' of material prosperity.

The Norquay administration, which took office in 1878 with a majority of five, was confronted during the following year with a ministerial crisis. For the first time the French members were in a decided minority. The abolition of the legislative council and the prospects of rapid immigration left little hope of French influence except through the precarious expedient of insisting upon a 'double majority'—a majority of both nationalities in the government. An attempt to ensure even this advantage by uniting to the French party a powerful section of the English-speaking opposition led to a conflict in tactics between Joseph Royal, minister of Public Works, and Premier Norquay, which resulted in the resignation of both French members of the cabinet. In the election that followed, the Norquay administration was sustained almost without opposition. Nationality no longer determined the boundaries of party or even 'held the balance of power.' Steps for redistribution and the inclusion of five members from the territory obtained from the Dominion in 1881 in the agitation for 'equal rights,' were indications that the province was outgrowing the old issues and was forgetting the old allegiances. The magnetism of federal politics began to complicate the difficulties of coalition government. The wider political horizon, corresponding to a material development which culminated in the 'boom' of 1881, aptly introduced the period of the railway, the real estate speculator, and the rapid 'opening up of the West.'

II

TRANSITION

THE growth from straggling settlements with 12,000 inhabitants to a province of more than 60,000 had taken place in scarcely a decade, despite an isolation unbroken except by the ' prairie schooner ' or the river steamboat. The settler could reach the province only through American territory, a route beset with inducements, not infrequently successful, to lure the traveller from so remote a destination. The deliberate choice of allegiance implied in the settlement of Manitoba had a value that does not appear in the census returns, though there was some impatience with the rigorous and minute economies of the government at a time when the American West was being changed from a prairie wilderness to prosperous states. By 1878, however, settlement had spread westward to Westbourne and Rapid City, to Turtle Mountains, Fort Ellice, Prince Albert, and even to Edmonton. ' At the close of 1879,' says Begg, ' farm houses and cultivated fields were in sight all along the main road for 250 miles west of Winnipeg.' More than a million acres of land for homesteads or pre-emption were entered in that year alone, while in customs receipts Winnipeg stood sixth among the cities of Canada.

Throughout this development it was seen that the railway would at some time become a deciding factor. After the abandonment of the Dawson route, the rapid extension of American railways in the van of American expansion westward—perhaps the most phenomenal movement of the nineteenth century—threatened to divert British immigration southward from the international boundary. The agitation for a transcontinental Canadian railway, traced in detail in another volume, had causes and results which dominated the period of early settlement. Communication with British provinces within ten years had formed one of the conditions upon which British Columbia entered Confederation in 1871. The agreement had been frankly disavowed by the Mackenzie

DRIVING THE LAST SPIKE OF THE CANADIAN PACIFIC RAILWAY AT CRAIGELLACHIE, NOVEMBER 7, 1885

government as altogether beyond the range of possibility; but from the introduction of the first Canadian Pacific Railway bill in 1872 to the contract of October 21, 1880, expansion in Manitoba seems to have been suspended between alluring prospects of a transcontinental railway, even at the price of lavish subsidies and grants of land, and the more immediate promise of railway communication through familiar channels to the south. A branch line to Pembina was outlined in a federal resolution of May 1874; but the collapse of the St Paul and Pacific Railway in the financial crisis of the seventies in the United States seemed to warrant a policy of delay by the federal government till connections with American lines could be made at the boundary. It was only by the energy and financial skill of four men, George Stephen, Donald A. Smith, Norman W. Kittson, and James J. Hill—'two of them Canadians by birth, and two by adoption'—that negotiations were opened with the Dutch bondholders, and the St Paul and Pacific was extended to St Vincent on the Canadian border. The formation of the St Paul, Minneapolis, and Manitoba Railway Company in 1879 under the presidency of George Stephen, with James J. Hill as general manager and Donald A. Smith among the directors, inaugurated the first successful 'romance of rail-roading,' which was indirectly to culminate in the completion of the transcontinental railway on British territory.

The development of railways in Manitoba, however, was complicated by the policy of the federal government. That policy was formulated as early as 1879, upon the visit of Premier Norquay and Joseph Royal to Ottawa in the cause of 'better terms': it was 'very desirable that all railway legislation should originate here,' and that 'no charter for a line exclusively within the Province of Manitoba should be granted by its Legislature' without the previous assent of the Dominion government. The significance of the contention was obscured at the time by local issues; but when the incorporation of the Manitoba South-Eastern Railway by the provincial legislature was actually disallowed in 1882 by the governor-general in council because it contravened existing federal contracts, the *Free Press*, hitherto a supporter

of the Norquay administration, threw its influence against 'the paralysing policy of disallowance.' Thomas Greenway, leader of the opposition, advocated 'protest against such an interference with our Provincial rights.' 'The monopoly clause'—clause 15 in the Canadian Pacific Railway contract of 1880, precluding for twenty years competition except by 'such line as shall run south-west or to the westward of south-west'—together with the 'land-lock' occasioned by the granting to that company of alternate sections for twenty-four miles on either side the railway, had already become the topics about which the *Times* and the *Free Press* waged their editorial duel. 'Railway policy' became a party issue, and parties began to conform more rigidly to the exigencies of federal politics.

Meanwhile the development of Manitoba hitherto in defiance of isolation and neglect seemed to justify the belief that with the advantages of the railway from south, east, and west, the growth of the province would surpass all calculations. Pending the settlement of the route, every village was potentially a city, every town was potentially a metropolis. Accounts of mass meetings, of civic enterprise and of deputations to the government, through all of which ran the grey thread of party politics, appeared in the press of Winnipeg, and were emulated at Portage la Prairie, at Emerson, at West Lynne, and at Selkirk. Rivalry existed before actual competition could begin. Had the route of the railway been determined from the beginning, settlement might have diffused itself without concentrating or suspending many of the potential forces of a 'boom.' The period of uncertainty, however, made a speculator of every settler, and the politician with an artful prophecy gave the movement an air of mystery and of magic that destroyed for the time reliance upon the less specious factors of sound progress. Throughout the winter of 1879-80 the press of Manitoba was filled with indications of the 'glorious era of progress.' West Lynne was 'sure to become a large town.' 'Town lots are being eagerly sought after in Minnedosa.' News from the border appeared under the caption 'Business Booming at the Boundary.' A Canadian government official at

Liverpool predicted 'the most extensive exodus to your Province of persons with capital that has ever been known in this country.' Emerson aspired to be 'the hub of the North-West business.' A settlement at the Brandon Hills sprang up in a single season. A 'rush of business' was predicted from Morris. As late as the spring of 1882 it was contended that the main line of the transcontinental railway would cross the river at Selkirk, with the result that 'there will be *a boom* there.' During the summer of 1879, Rapid City, on the Little Saskatchewan, says Macoun, 'was without a rival in the estimation of western people.' The position of Portage la Prairie, on the fertile strip of land between Lake Manitoba and the Assiniboine, to be crossed by all railway lines to the west, was thought to have 'settled the question of its becoming a city of importance,' even without 'the influence of lobbying politicians and land-holding officials.' The immigration during the summer of 1880, though showing a substantial increase, failed to satisfy expectations. The disappointment was attributed by the *Free Press* to the stringent '80 acre land regulations' to replace the grant of the quarter section as the unit for the homestead. The last spike in the Pembina branch, however, was driven with ceremony on December 3, 1878. Well-organized parties reached the province by rail, with experience gleaned from the 'land-booms' which had marked the whole progress of settlement towards the west. The arrival of speculating capitalists and expert real estate projectors set in motion at various points in Manitoba all the machinery for an organized 'boom'—skilful advertising, reckless assertion, and adroit manipulation of public confidence. The homestead was turned into 'suburban acreage' for subdivision. Real estate was bought and sold 'like wheat and potatoes.' The 'homesteader,' the merchant, the clergyman, and the speculating traveller joined in the reckless 'scramble for the unearned increment.'

The autumn of 1881 saw the culmination of the 'boom.' 'Nothing equal to it,' says a writer in *Manitoba and the Great North-West*, 'had ever before occurred on Canadian or British soil.' With the completion of the railway to Portage la Prairie, the struggling farmer found himself 'lifted from

comparative poverty to opulence.' In Winnipeg the demand for quick returns and the hope of extravagant profits could no longer be satisfied through the offices of the real estate agent. Auctioneers disposed of whole town-sites by auction; names of places unknown before and long since forgotten appeared in the advertising columns of the press. Real estate was the one topic of interest; the echo was heard as far as New York and London. As prices rose, the small investors, with hundreds of dollars, combined their capital in syndicates for the purpose of speculating in 'town property' with hundreds of thousands. Columns of 'sales' appeared under the Real Estate Register of the *Free Press*. As late as February 1882 a lot on Main Street sold for $40,000, lots in St John's for $78,700. A small syndicate from Ontario purchased lots on Broadway and Main Street valued at a quarter of a million. 'Property on the Main Street,' wrote a correspondent, 'was selling at a higher price per front foot than on Michigan Avenue in Chicago.' Auctions were held at the street corners. Ready money was supplemented by notes; land was bought on instalments; purchase degenerated into speculation on margins; new speculations were undertaken on the prospective profits of the old. While public confidence continued and prices steadily rose, the investor, 'deep in the maelstrom of land speculation,' anticipated fabulous returns. When the margins on property in Winnipeg began to narrow, the auctioneer and the real estate agent began to exploit new town-sites farther west. When fresh capital was no longer forthcoming, immediate returns began to diminish, and the holder of land was forced to await the pressure of immigration and the precarious development of almost untried resources before the rise in values could correspond to the phenomenal rise in prices. Meanwhile the capital involved in real estate was withdrawn from more productive uses. The expected development failed to take place. The speculator and the auctioneer tried in vain to sustain public confidence by the announcement of fictitious sales and by specious advertisement. In the attempt to revive the 'boom,' the exploiting of town-sites went westward until the speculator was offering 'Edmonton at last . . . in the centre of

the richest Gold, Coal, Timber, Mineral and Wheat producing regions in America.' In September 1882 the auctioneer was advertising 'No more paper towns but a large and thriving city'; the public no longer responded. The merchant, involved in speculation in land, was unable to meet his obligations in business and went into bankruptcy. Mortgaged lands and bankrupt stock were sold at auction. The one 'glutted' an already over-stocked market; the other tended to destroy the legitimate business which alone could give the land a value to correspond to the inflated prices. A few of the investors, with a wisdom born of experience in the United States or in Ontario, made their profits and left the land in the hands of others. The vast majority, after visions of opulence for six months, found themselves burdened with acres of prairie and intolerable obligations. Of these, a few, content to wait, have seen their early faith justified by the sane and almost phenomenal progress of the present city. Many of the rapid improvements during 'the boom' remained to obviate much of the usual crudity of the early stages of urban development. The population of Winnipeg was practically doubled within a year; the civic assessment was more than trebled; a new city hall, street lighting by gas, street railways, the telephone and nearly five million dollars in buildings remained to commemorate 'the boom.' The general effects, however, were pernicious and uninspiring. Credit was shaken. The violent reaction from a fictitious opulence by speculation to the sounder but more toilsome thrift by agriculture, industry, and commerce, dimmed for many years the well-founded promise of prosperity. The re-establishment abroad of provincial credit was slow and difficult, long after the city of Winnipeg had recovered from its depression and after the province had regained its accustomed confidence in the future.

It was during the excitement attending 'the boom' that 'disallowance' of provincial railway charters and the 'landlock' of alternate sections for the Canadian Pacific Railway forced the Norquay administration into allegiance to the federal conservative party. Edward Blake had attacked the 'monopoly clause' as 'one of the most objectionable

features of the contract' with the Canadian Pacific Railway Company. The liberal press in Manitoba shrewdly deprecated the introduction of federal issues into provincial politics, so long as it was possible to force an independent coalition government, with the pronounced support of the province on the 'railway question,' into opposition to the federal government. Upon the return of Premier Norquay from Ottawa in 1882, however, it was seen that the administration was no longer to be pressed into unwilling service. The *Free Press* attacked the premier for the 'pusillanimous subserviency of himself and his colleagues,' and declared that 'the Monopoly Government can no longer rule this Province with a rod of iron.' The election of 1883, contested for the first time on federal 'party lines,' with the conservative and liberal press arrayed for and against the Norquay administration, resulted in a majority of ten for the government. The burden, however, of issues forced upon the cabinet by the exigencies of the Macdonald administration at Ottawa proved more than any government in Manitoba could hope to sustain. The liberal press seized the opportunity with unerring instinct. 'Disallowance' and the 'land-lock,' the unsuccessful contention for 'better terms,' the useless conflict with Ontario over the eastern boundary, and the growing irregularities of an embarrassed administration, resulted within five years in the complete overthrow of the Norquay government.

The eastern 'boundary question' was originally the quarrel of the federal government with the Province of Ontario, and was transferred to Manitoba with the extension of the boundaries granted in 1881. Premier Norquay announced his intention of 'taking no responsibility in its determination'; but the incorporation of Rat Portage by the Manitoba legislature, and the lawlessness of a district dominated by the prospector and the railway navvy, forced the participation of Manitoba in a contest which was deprecated even by provincial conservatives and was characterized by the liberals as another indignity thrust upon a submissive province. Without the control of crown lands, moreover, a district of mines and forests entailed added expenses of

government to an already straitened treasury. At Rat Portage the rival interests resulted in blows and much loss of dignity. The Manitoba gaol was broken open; Manitoba liquor regulations were openly defied by 'Mowat's lambs' from Ontario. Rival magistrates and police forces exercised their political partisanship by 'arresting each other' and by seeking to establish by force the claims of their respective governments. There was an election for the Ontario legislature; on the same day there was another for Manitoba. There was a municipal system under a Manitoba charter, and an election for another under a charter to be obtained from Toronto. Breakers of the law enjoyed a complete immunity denied to the enforcers of the law. A compromise was at last effected for a joint commission to control the district till the dispute could be determined by the Privy Council. The award was finally made on August 11, 1884; but the inclusion of Rat Portage in Ontario increased the discomfiture of the members of the Norquay administration, who were charged with having allowed themselves to become ill-requited 'hewers of wood and drawers of water for the Federal Government.'

The results of the agitation for 'better terms' would have been less unexpected had the local government not accorded, at no small sacrifice of prestige, its valuable support to the Macdonald administration at Ottawa. The province was practically united. In 1884 the premier reviewed the unsuccessful negotiations with Ottawa in a 'masterly address' which Begg has called 'the greatest oratorical effort of his life.' The opposition pledged its support to the premier's determination 'to carry their grievances to the foot of the Throne.' A farmers' union advocated 'the right of the local Government to charter railways,' 'the absolute control . . . of public lands,' and a railway to Hudson Bay. During the depression after 'the boom' and the losses that attended the failure of the wheat harvest of 1883, it was unanimously resolved at a farmers' convention in Winnipeg 'that this convention cannot advise immigrants to settle in the Province till full redress of the grievances complained of by this convention shall have been attained.' The resolution found its way into the hands of rival immigration agents, and though

disavowed in Manitoba as a ' product of factious partisanship,' it discredited the province only less than it impaired the influence of the Farmers' Union in securing rights by constitutional means. The contention for the extension of boundaries and for the control of natural resources is traced elsewhere in this work,[1] but the refusal by the Dominion to grant control of public lands to the province because the West had been bought for £300,000 from the Hudson's Bay Company was interpreted as a stigma upon the status of the province. The agitation against ' disallowance ' and the ' monopoly clause ' reached a pitch of intensity that no government in Manitoba could withstand. There was quoted in the press a letter from an official of the Canadian Pacific Railway urging disallowance of the South-Eastern charter because the monopoly clause had formed ' one of the most essential conditions ' of the construction ' more particularly of the eastern division.' It seemed that Manitoba was to pay the price of the ' 600 miles of unnecessary railway through a barren and desolate region ' north of Lake Superior.

It is obvious that popular opinion in Manitoba failed to weigh very justly the broader considerations of the Dominion involved in the construction of the Canadian Pacific Railway. The plea of good faith in preserving inviolate the federal contract designed to guard the struggling company against the diversion of traffic to the United States could scarcely reconcile the province to the absence of local railway facilities for twenty years. In 1884 the legislature declined unanimously the terms offered by the Dominion government. Premier Norquay, indeed, introduced a bill to provide for direct taxation to meet the inevitable deficit. In the session of 1885, however, the provincial delegates, Premier Norquay and Speaker Murray, announced that they had at last come to satisfactory terms ; but when it was seen that they had failed to secure either the control of the crown lands or the right to charter provincial railways, and that the federal proposals were introduced as ' a settlement in full of all questions discussed between the Local and Federal authorities,' the opposition, led by Greenway, contested the ' finality clause '

[1] See ' Ontario-Manitoba Boundary,' section iv. p. 878 *et seq.*

as a betrayal of the rights of the province. The terms were ratified after a bitter debate which continued till five o'clock in the morning. The Farmers' Union, the Reform Association, the 'Home Rights Provincial League,' and many other organizations throughout the province directed popular opinion overwhelmingly against the terms of settlement. The economic depression and the North-West Rebellion, the skilfully directed charges of irregularities in the public accounts and of surrendering vital principles to secure an immediate financial advantage, increased at every stage the embarrassment of the government. The session of 1886 opened with an acrimonious debate on a motion of want of confidence, and four months were filled with accusations and counter-charges, both public and private. Petitions were sent to the governor-general for transmission to Downing Street. Disallowance of charters for the Manitoba Central and the Emerson and North-Western Railways was interpreted as a determination on the part of the Dominion 'to ride rough-shod over the autonomy of the Province.' The opposition pressed insistently for 'an absolute and unconditional surrender of all rights and privileges in the matter of monopoly.' Even the opportune arrival of the first transcontinental train on July 1, 1886, and the presence of Sir John A. Macdonald at a conservative convention in Winnipeg, scarcely allayed the agitation. During the provincial elections of December 1886 the government vied with the opposition in proscribing 'disallowance.' The Norquay administration, sustained by a majority of seven, so far yielded to popular clamour that the disallowed charters were re-enacted, and in defiance of federal opposition the Red River Valley Railway to West Lynne was undertaken as a government work.

Despite threats by the Canadian Pacific Railway Company of withdrawing workshops from Winnipeg in retaliation, and rumours that troops were to be sent, if necessary, to prevent operations by force, the government pressed forward the construction of the railway by all the resources at its disposal. Failure to secure financial support abroad led to the issue of bonds to be subscribed by the city of Winnipeg. The adroit political agitator, however, was more

chary of his own investments than of the fate of the Norquay administration. The conditions of contract for the completion of the Valley Railway were bitterly opposed by the liberal press ; the transfer of provincial bonds to contractors of the Hudson's Bay Railway on the security of grants of land which the federal government, it was found, refused to make, was seized upon by the opposition and was never allowed to drop till the Norquay administration was driven from office. For the misunderstanding upon which the bonds were transferred—a telegram from a colleague at Ottawa announcing the acquiescence of the federal government—Norquay can scarcely be held responsible ; but in the acrimony of provincial politics and the unequal contest with the federal government, other irregularities which admitted of no defence had crept into the administration. Deserted at the crisis by those upon whose support he had relied, and crushed between a reckless public opinion in Manitoba and the exigencies of his party at Ottawa, Norquay resigned the premiership in an attempt to divert from the party responsibility which was scarcely indeed his own. Norquay's successor, Dr Harrison, relinquished the administration to Thomas Greenway within a fortnight after the opening of the session of 1888. Several of Norquay's colleagues retired from political life and left the province. The ex-premier 'stood alone on the floor of the House,' as he remarked bitterly, 'deserted by those who should have been beside him,' to meet the charges of mismanagement with which his administration was overwhelmed by the new government.

As a native premier—the only native premier—of the province, Norquay's position was of more than ordinary importance. The old considerations of race and of language, gradually displaced during the seventeen years of his public life by the influx of immigration, were almost altogether submerged by the administration that followed. During the transition from the old to the new, Norquay's personality was an important factor, though an excess of genial goodnature exposed him to a relentless criticism for the lack of businesslike efficiency detected in various departments of the administration. The qualities that fell short of success in the

contention for provincial rights had not failed of their effect in tranquillizing the local dissensions which obtained in 1878 when Norquay, at thirty-seven years of age, was called upon to form a government. The *Sun* described 'the old man's speech . . . made with dignity and pathos,' when Norquay placed his resignation before the caucus of his party. 'Whatever faults the Premier had, he had a faculty of drawing men in his rough way.' Even Norquay's most resolute opponents admitted the qualities of heart and of head that made 'the old man'—'honest John'—for fifteen years the most popular figure in provincial politics. 'His weakness,' said the *Free Press* at Norquay's early death in 1889, 'lay in the bigness of heart which could never constrain itself to say no to a friend.' With Norquay's defeat and death the period of transition came fittingly to a close. Public opinion in Manitoba demanded an aggressive administration to preside over the coming of age of a neglected but self-confident province in the family of Confederation. The control of public affairs passed to a generation that knew not the Red River Settlement.

III

EXPANSION

THE collapse of the Harrison administration introduced the ascendancy, for twelve years, of the local liberal party. Public opinion in the province, exasperated by disallowance and by the necessity of resorting to an ignominious and unequal conflict with the federal government, was determined to assert itself at any cost. Early in 1888 Lieutenant-Governor Aikins, who had succeeded Lieutenant-Governor Cauchon in 1882, went to Ottawa with a purpose. Resolutions from both parties and from almost all parts of the province protested with unanimity against the old abuses and wrongs of monopoly. 'Ottawa will have to yield to the people, or the people will redress their own grievances in their own way.' Secession was suggested, if not seriously advocated, as a last resort. 'A delegation would go to England . . . to appeal for withdrawal from

Confederation.' The Winnipeg Conservative Association 'adopted unanimously by a standing vote' a curt resolution drawing 'the attention of the Right Honorable Sir John A. Macdonald, Premier, and the Government of Canada, to the self-evident fact, that the time has passed when mere personal or political friendship, or party sentiment, can cover or smother the real state of public feeling in Manitoba and the North-West,' refusing to 'submit to struggle any longer under the burden that is crushing the country to death,' and demanding the 'discontinuance of disallowance.' The federal government, convinced of their mistake only after their policy had resulted in the complete discomfiture of their defenders in Manitoba, yielded at last, without grace, to their avowed opponents. Premier Greenway and the attorney-general and railway commissioner, Joseph Martin, went to Ottawa 'upon the invitation,' as the delegates afterwards reported, 'of the Premier of Canada.' 'Disallowance' was abolished by the surrender of the offensive 'monopoly clause' by the Canadian Pacific Railway Company; while the terms granted to the company—guaranteeing the interest on $15,000,000 of new bonds—enabled it to hasten railway facilities of incalculable value to the West. What with the prestige from this successful contest with the federal government and the disclosures of departmental mismanagement which left the preceding administration discredited and disorganized, the elections of 1888 resulted in the complete defeat of the local conservative party. In a house of thirty-eight members the Greenway administration commanded a majority of twenty-eight votes.

With regard to 'disallowance' Premier Greenway was credited with gathering where others had strawed. The railway policy of the Norquay administration, however, was a legacy which the new government hastened to modify. The completion and operation of the Red River Valley Railway, designed to reduce rates by competition with the Canadian Pacific Railway, was no longer advocated as a government work. Despite the loss of the able support of the *Free Press* and a determined opposition which reduced the government's majority at one point to seventeen, the Valley Railway, together with a line from Winnipeg to Portage la Prairie, was

transferred to the Northern Pacific and Manitoba Railway Company. Joseph Martin, as railway commissioner, had pressed forward the measure with headlong energy. The Canadian Pacific Railway Company, having offered in vain to lease the Pembina branch to the government in order to forestall competition with the Valley Railway, now threw every obstacle in the way of the construction of the rival branches. Facilities for railway crossings with the Canadian Pacific were resolutely refused. The case was referred to the federal railway committee and thence to the Supreme Court. The federal statute, however, forbidding one company to 'cross, intersect, join or unite its railway with any other railway without application to the railway committee for approval,' was regarded as 'monopoly' in disguise. 'Hundreds would have flocked to the assistance of the Government,' says Hill, 'even if that meant the support of their measures at the point of the bayonet.' Flushed with success over the 'monopoly clause,' the government responded to the demand for speedy facilities for the transportation of grain eastward and for the flow of immigration westward. 'If such facilities could not be obtained constitutionally, they must be obtained by more forcible means.'

Despite an injunction of the courts in restraint of the Northern Pacific and Manitoba Railway Company, pending the decision of the Supreme Court, the provincial railway commissioner—who was also vice-president of the Northern Pacific and Manitoba Railway Company and attorney-general in the Greenway cabinet—brought all the resources of the government and of the newly incorporated company to bear, in order to effect, by force if necessary, a crossing of the Canadian Pacific line in time to transport part of the season's wheat. The crossing was secretly effected by night, and a force of more than twenty special constables was left to protect it. A force of rival section-men, however, under command of General-Superintendent Whyte, tore up the crossing and carried the trophies back to Winnipeg. A second attempt was made at 'Fort Whyte,' where the Canadian Pacific carriages filled with workmen and militia, and a government train filled with provincial police and

track-layers, came to such close quarters that rival forces by the same camp-fire ' sat through the long hours of the night in the falling snow,' happily without coming to blows. Meanwhile there were threats of an appeal to the Privy Council and of petitions to the throne against the subject status of the province. The decision of the Canadian Supreme Court, however, was in favour of the province, and the federal interference with local railway development in Manitoba thus came to an end. The immediate relief to the former was scarcely in proportion to the keenness of the contest or the completeness of the success. The adjustment of railway rates and facilities to the needs of the province was a slow process, still incomplete, and still, it may be said, a subject of bitter contention. The railway question after 1888, however, passed largely from the field of provincial as opposed to federal politics. The *Free Press* referred to the early success of the agitation against disallowance as the ' advent of a new era.'

It would be little to the purpose to attempt further to weave into the form of unbroken provincial history the various strands of political issues which belong to the present generation. The discussion elsewhere of the ' school question,' the long-deferred Hudson's Bay Railway, the economic problems of the farm and the municipality, the resources of the province and the problems of education, may be considered to relieve any account of these topics here of all but political considerations. Upon entering the period after the settlement of the outstanding issues of the Norquay administration, one becomes conscious of breathing the atmosphere of the present. With the introduction of the ' school question ' in the form in which it dominated provincial and eventually federal politics, one passes the bounds of historical finality and enters almost abruptly an undiscovered country of controversy and current politics, to be explored only by means of historical materials that have not yet settled into convincing evidence.[1]

[1] The chief sources for the following pages are the voluminous files of the local press, the valuable collections of pamphlets and official reports belonging to the Legislative Library and to the Manitoba Historical Society, and the unofficial but very useful Hansard of the legislature compiled in the Legislative Library.

An agitation for non-sectarian public schools and a government department of Education to replace the cumbersome dual board of 1871 had been organized in 1876 under inspiration from Ontario. Uniformity in rules and regulations and in the training of teachers, a system of school inspection, the compulsory use of English, and the proportionate division of educational funds, were advocated in resolutions of the Protestant section of the board. The animosities of the insurrection, however, had been with too much difficulty quenched in the courts and the legislature to be allowed to burst into flame in the sphere of education. The summary readjustment of the Board of Education averted conflict or confined it largely to the secluded meetings of the board, while the exponents of non-sectarian schools in Winnipeg were pacified by the School Act of 1876, virtually granting educational autonomy to the city. The system of public schools in Winnipeg, controlled by a board of elected trustees and supported by extensive powers of taxation, appointment, and inspection, proved sufficiently satisfactory to keep the 'school question,' for twelve years, from the arena of provincial politics. During this period the old system throughout the province seems to have worked with less than satisfaction to many in the field of education, but with such conspicuous success politically that the results were cited as an example of 'wisdom, liberality and Christian charity' in the co-operation of the different denominations for educational purposes. As late as 1882 the report of the school board was favourably reviewed by the *Free Press* as evidence of 'satisfactory progress . . . in Provincial education.'

Immigration from Ontario, however, added reinforcements steadily to the agitation against the system of separate schools. The vaunted independence of the board was secured only by a virtual immunity from responsibility. Disparity in money grants crept in with the rapid growth of the Protestant population. In 1889 it was pointed out that of 618 schools in the province 545 were Protestant and 73 Roman Catholic, and that in the division of funds the former received on an average $142 each, while the latter received $226. It

was known also that the Roman Catholic section of the board had accumulated a surplus of $13,000. During the contention for 'provincial rights,' a united front was too important to be jeopardized by purely local issues. Even the Farmers' Convention in March 1884—'as a matter of expediency,' said the *Sun*—decided to 'pledge to the Honorable John Norquay and his Government their hearty and unanimous support,' to be withdrawn 'should circumstances at any time demand it.' After the defeat of the Norquay administration and the withdrawal of 'disallowance,' the predominantly Protestant party, led by Premier Greenway, found themselves unfettered by an urgent conflict with the federal government, and supported by a determined element in favour of a decisive settlement of the 'school question.' Reinforcements from Ontario, through immigration, through the powerful alliance of the liberal press, and through forensic support upon the public platform in Manitoba, welded the agitation into an avowedly political movement. There was much reluctance in precipitating the crisis; but the attorney-general, Joseph Martin, forced the issue by an aggressive declaration against the use of the French language in courts and legislature and against the system of separate schools. 'If the Constitution was against their abolition, public opinion was against their maintenance.' The administration announced their determination to abolish the dual Education Board and to make a department of the government directly responsible for the expenditure of educational funds. The provincial secretary, J. R. P. Prendergast, resigned in protest. The Teachers' Association in August 1889 was 'of opinion that such transfer would be prejudicial to the educational interests of the province.' The Roman Catholic minority, surprised by the suddenness and ruthless scope of the government measures, opposed the change with a bitterness born of the unavailing struggle for their hard-won privileges.

Minor issues were for the time forgotten. Almost every association and society in the province, from the Orange lodges on the one hand to the St Vincent de Paul societies, the St Jean Baptiste societies, and finally, in 1892, the Catholic

Truth Society, on the other, took sides in the contest. The editorial column of the newspaper seldom appeared without its 'leader' on the 'school question.' Correspondents deluged the press with angry comment. The contagious struggle was carried by its very virulence to the press of Ontario and Quebec. The old charges of disloyalty and rebellion were revived with added poignancy after the rebellion and execution of Riel in 1885. Archbishop Taché, at the close of a long and toilsome life devoted to the French race and the Roman Catholic Church in the West, replied to the charges by letters to the *Free Press* and *Le Manitoba*. His appeals stirred the Roman Catholic Church to action throughout Canada, and in Manitoba to devotion and self-sacrifice. When the school bills were eventually introduced in the session of 1890, public opinion in the province was so pronounced that there was no thought, and scarcely a possibility, of compromise.

The debates upon the education bills concentrated in the legislature the bitterness of sectarian strife throughout the province. The result, however, was never in doubt. 'Nine-tenths of the people,' said the attorney-general, 'were united on the abolition of separate schools.' A defender of the minority urged a decision in the spirit of the Manitoba Act, though 'the country was ablaze with a prairie fire and a strong wind was blowing.' The provisions for a department of Education with an advisory board passed with a majority of sixteen votes. 'The debate on the School Act which followed,' says Begg, 'was the most prolonged and bitter ever witnessed in the Manitoba Legislature.' The opponents of the measure urged in vain that an attack upon the French language and separate schools had been disclaimed at a by-election which had practically terminated the Harrison administration, and that the measure violated what had been called the 'treaty rights' of the Roman Catholic minority, embodied in the Manitoba Act as the result of negotiations between the delegates from the Red River Settlement and the federal government. It became evident that the administration relied upon a determined majority throughout the province, resolved upon readjusting by the force of

popular opinion the provisions which had found their way into the Manitoba Act by the adroitness of the 'executive of the Provisional Government' without a mandate of the popular opinion even of that day. It was urged with uncompromising persistence that 150,000 inhabitants of Manitoba could scarcely be bound by stipulations that remained unknown even to the 12,000 inhabitants of Rupert's Land till the secret Bill of Rights, demanding separate schools 'according to the system of the province of Quebec,' was published by Archbishop Taché in December 1889, more than eighteen years after the Manitoba Act. The abolition of the old system proceeded without remorse. The government appropriated the reserve funds of the Roman Catholic section of the board; the act was denounced as 'lawless spoliation and flagrant injustice.' The publication of the official *Gazette* in French was suspended in October 1889; a resolution of censure was lost by twenty-one votes. The Public Schools Bill passed by a majority of fourteen votes. The education acts were followed by the abolition of French as an official language of the courts and the legislature. The government was sustained for nearly ten years, and no administration since has ventured in Manitoba to raise again, as a direct provincial issue, the question of separate schools. It fell to the lot of Sir John Schultz, then lieutenant-governor, with strange appropriateness, to give the royal assent to the bills which practically destroyed the concessions won by his opponents during the insurrection.

The train of litigation and appeal which resulted from the Public Schools Act exhausted every expedient to secure redress. The minority paid taxes for the new system under protest, and continued to support many of their schools by private subscription. A Roman Catholic ratepayer of Winnipeg applied to the Court of Queen's Bench to quash by-laws regulating taxation for public schools under the act, 'on the grounds that the Public Schools Act, 1890, was *ultra vires* of the provincial legislature.' The application was refused, and though the decision was reversed by the Canadian Supreme Court, the Judicial Committee of the Privy Council 'restored the judgment of the Court of Queen's

Bench,'[1] leaving untouched the right to tax Protestant and Roman Catholic alike for the maintenance of a non-sectarian system of public schools. Redress, denied in the courts, was sought by an appeal to the governor-general in council under subsection 2 of clause 22 of the Manitoba Act.[2] The process by which the 'Manitoba school question' became the chief issue in the Dominion elections of 1896 belongs to federal rather than to provincial politics. The various stages of the contest, however—the appeal by memorial and petition, the reference of the case to the Supreme Court, the decision against the 'power to make the declaration or remedial orders which are asked for in the said memorials and petitions,' and finally the reversal of this decision by the Judicial Committee of the Privy Council, who determined that the 'appeal was well founded but the particular course to be pursued must be determined by the authorities to whom it had been committed by the statute'—were followed in Manitoba with an intensity of interest which sustained the Greenway government in undisputed power. When the federal government, forced at last into interference, issued the remedial order, after an elaborate argument before the governor in council, the provincial government declined to comply, and were sustained in the provincial election of January 1896 by an overwhelming majority. When the Remedial Bill was submitted to the house, the federal opposition began to develop their policy under the defence of 'provincial rights.' The local issue in Manitoba, designated by the familiar phrase, was identified with the earlier struggle against 'disallowance' and the 'monopoly clause.' The close affiliation of federal and provincial parties enabled the opposition at Ottawa to promise better results by negotiation than by coercion. The defeat of the conservative government in 1896 and the growing influence of Clifford Sifton paved the way for compromise,

[1] *Report of Decision of Privy Council on the Manitoba School Case.*

[2] 'An appeal shall lie to the Governor-General-in-Council from any Act or decision of the Legislature of the Province, or of any Provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.'

though the provincial administration clung tenaciously to the prestige from eight years of successful controversy. The act of 1897 was regarded by Sir Wilfrid Laurier as a 'happy solution of a very difficult situation.' The minority, however, can scarcely be said to have been pacified. The 'school question,' even with the return to power of the local conservative party under the leadership of Hugh John Macdonald, was allowed to remain unstirred as a provincial issue, but the contention for separate schools remained, to be traced obscurely like an unbroken thread in the web of other measures.

The school question was the last issue which resulted in the success of the local liberal party. Several of the ablest administrators left the Greenway government for the wider field of federal politics. The premier, in his over-confident appeal to the electors in 1899, seems to have underestimated both the effects of failure to secure enlarged boundaries from allies at Ottawa, and the attention directed by the opposition to 'the alarming condition of the finances.' Not less decisive, perhaps, was the growing importance of a party bent upon prohibiting the liquor traffic. Manitoba in 1892 had been the first of the Canadian provinces to submit 'prohibition' to a plebiscite.[1] Since that time a memorial had been passed 'asking the Dominion parliament to adopt concurrent legislation.' The question as to the powers of the province was submitted to the Privy Council, whose decision Premier Greenway regarded as 'somewhat mystifying.' After the Dominion plebiscite of 1898, resulting in a majority of more than nine thousand for prohibition in the Province of Manitoba, delegations urged the provincial premier to immediate action. A pledge was given to secure if possible 'full power to legislate,' and failing this to 'pass a prohibitive measure within the powers of the province.' The opposition, however, was prepared to 'act at once, introduce legislation, go as far as the law allows, and afterwards go to the Dominion government.' This promise was executed with promptness by the new premier, Hugh John Macdonald. An elaborate

[1] The result in an electoral list of 46,669 was as follows: in favour of prohibition, 18,637; against, 7115.

act[1] was passed in 1900, to come into operation by proclamation on June 1, 1901. Its legality, however, was questioned. It was not until November of that year that the Privy Council declared it to be constitutional. Meanwhile Macdonald had resigned the premiership to re-enter federal politics.[2]

Macdonald's successor, Premier Roblin, so far questioned the state of public opinion upon the measure—the presence of a 'strong popular majority . . . having convictions so decided in its favour, so unyielding that they will bear down all opposition to its enforcement'—that it was determined to supplement the plebiscites of 1892 and 1898 by another referendum. The decision resulted in the complete disorganization of the 'temperance party.' The Alliance for the Suppression of the Liquor Traffic recommended 'to the temperance people of this Province that they ignore this Referendum and abstain from polling their votes'; the vice-president resigned in protest. Several organizations and a public meeting on March 2 supported the Alliance. The Winnipeg Board of Trade believed that the act would 'fail in its purpose and result in injury instead of good.' A public meeting on March 3 urged active canvassing in favour of the measure. The Prohibition Campaign League recommended 'the cessation of all further organized effort.' The result of the poll was a majority of 6857 against the Prohibition Act out of a total vote of more than 38,000, representing less than 52 per cent of the electorate. Angry discussion and comment followed. What with the adverse vote, the disunion in the 'temperance party,' and the demonstration of political partisanship, prohibition scarcely survived as a dominant issue; though, after petitions and deputations to the government, an agitation to 'abolish the bar' was brought to an adverse vote in the legislature during the session of 1912.

The last era of progress in Manitoba, during the lieutenant-governorship of Sir Daniel H. McMillan from 1900

[1] Prohibiting the sale of intoxicating liquors except under a 'druggist's wholesale licence, or a druggist's retail licence under this Act,' and making it an offence to 'have or keep or give liquor in any place wheresoever, other than in the private dwelling house in which he resides.'

[2] Hugh John Macdonald had been minister of the Interior in the Tupper cabinet in 1896 and was elected for Winnipeg in the general election of that year.

and of Sir Douglas C. Cameron since 1911, has been marked by few fundamental political issues. The chief measures of the Roblin administration have had an economic bearing to be discussed elsewhere,[1] while the political life of the province, exorcized for a time from the strife of sects and factions, was swept and garnished for ten years of violent political partisanship. The principles involved can scarcely be said to be open in Manitoba to very radical differences of opinion ; the application of them has seldom passed without pointed criticism and recrimination. The promotion of railway communication within the province was undertaken with characteristic faith and resourcefulness. The opposition denounced in convention the ' wholesale guaranteeing of Railway bonds ' ; but the assured success of the Canadian Northern Railway system has made the provincial guarantees of more than $25,000,000 little more than a purely nominal responsibility. In 1910 it was announced that there were ' nearly 4000 miles of completed railway lines,' and that sixteen hundred miles had been built in seven years ' without a dollar of cost to the Province.' Meanwhile Premier Roblin had stated perhaps the most distinctive policy of the administration : that ' such utilities as are a natural monopoly should be owned and controlled by the government.' As early as 1906 there was a municipal plebiscite upon the proposed provincial ownership of long-distance telephone lines. A majority of nearly four thousand was interpreted as a ' command to proceed at once.' Petitions throughout the province and a declaration of the opposition indicated support even of ' complete government ownership and operation.' On January 1, 1908, the premier announced that all the interests of the Bell Telephone Company within the province had been purchased for $3,400,000, and that the government was about to establish the ' first complete system of government-owned telephones on the continent.'

The principle was applied with less conspicuous success to provincial grain elevators. A joint reply of the premiers of the three prairie provinces to the Grain-Growers' Association suggested that the main problem of storage and trans-

[1] See ' Economic History of the Prairie Provinces, 1870-1913,' in this section.

portation of grain was primarily a 'Federal function and duty.' By 1910, however, the movement in Manitoba had become so insistent that the government appointed a commission of three, and provided by an act of the legislature for power to 'purchase, lease, construct, maintain and operate Grain Elevators' when petitioned by sixty per cent of the grain-growers of the neighbourhood. The report of the commissioners submitted early in 1911 indicated an expenditure of nearly a million dollars, with receipts which gave little promise of paying for operation and maintenance. A deficit even on the telephone system, and the resignation of the original commissioners after an adverse report by an expert commission of investigation, tended to unsettle public confidence. The elevator system was rented to the Grain-Growers' Grain Company. The telephone system was reorganized with promising success under a single commissioner. Provincial credit, however, fortified by a long series of surpluses and by prospects of 'better terms' from Ottawa, remained on the whole sound and undisturbed. The provincial treasurer announced that the sale of provincial bonds at 102 commanded the highest price realized by any province of Canada. The administration claimed a policy of consulting quietly but substantially the material interests of the province.

The development of Manitoba fittingly reached a landmark with the extension of the provincial boundaries to Hudson Bay, almost exactly a century after the beginning of settlement in Assiniboia. From the organization of the province the agitation for 'better terms' was almost continuous. 'Almost every parliament, if not every one,' said Premier Roblin in 1908, 'has in some way, either by formal resolution or by declarations of those authorized to speak, declared for increased boundaries and a re-arrangement of financial terms.' The memorials, the resolutions, the deputations to Ottawa for forty years become monotonous by their regularity. As early as 1873 it was contended that Manitoba should 'possess a seaport on the Hudson Bay and a lake port on Lake Superior.' Even the penurious Davis administration advocated 'the prosecution of negotiations . . . for a

moderate but sufficiently increased subsidy.' The speech from the throne in 1875 outlined an address for 'a revision of the financial relations . . . and also for a substantial enlargement of the boundaries of Manitoba, both westerly, easterly and northerly.' An increase of subsidy to $90,000 was effected till 1882, but in 1880 there was another vigorous resolution of the legislature and a deputation to Ottawa. The speech from the throne in 1881 announced that 'their representations on the subject had been acceded to.' The original boundaries, comprising less than 13,500 square miles, were extended more than 100 miles to the westward, eastward to the undefined boundary of Ontario, and northward by more than 150 miles, the new boundaries comprising in all an area estimated at more than 150,000 square miles. It was found, however, that the final settlement of the eastern boundary with Ontario left Manitoba with less than half that area. The subsidy was increased to $105,650 to meet the needs of an 'increasing population . . . altogether in excess of their calculations,' but the terms were far from satisfactory to the province. 'In all fairness,' said Premier Norquay, 'she has certainly been hardly dealt with. . . . We should have been put in possession of our lands.' The income of the province from federal sources was augmented in 1882 to $227,000; but a resolution of the legislature pressed for 'outlets on Hudson Bay and to the east on Lake Superior'; while the difficulties with Ontario at Rat Portage exposed the administration to charges of 'meddlesome interference' in a dispute which should have been determined by the federal government. A cartoon in *Grip* represented Manitoba as Oliver Twist, 'the Dominion Starveling,' begging a paltry dollar from the capacious pudding-bowl of 'Internal Resources of Manitoba.'

The effect upon the Norquay administration of the failure to extort satisfactory concessions from Ottawa has already been outlined. The settlement of 1885, based upon an increased subsidy and the grant of swamp-lands to the province, left unheeded the more vital claims, and raised a volume of opposition from which the government never recovered. The aims of the Manitoba Rights League, the Farmers' Union,

the Equal Rights Association, and other perennial organizations throughout the province for reform and political agitation, were concentrated chiefly upon 'discontinuance of disallowance' and 'the absolute control of . . . public lands.' Even after the one had been obtained in 1888, the other contention, together with the 'boundary question,' was eclipsed for ten years by the 'school question.' The failure of the Greenway administration after 1897 to secure either of these concessions led to the inclusion of both in the policy of the opposition in 1899, though both parties in 1901 advocated the 'extension of the boundaries of Manitoba northwards to Hudson Bay.' In 1902 Premier Roblin moved the appointment of a committee from both sides of the house to 'ascertain the most favourable terms and conditions.'

Memorials were presented at Ottawa with insistent regularity in 1905, in 1906, in 1908. It was pointed out by the premier of the province that the revenue from natural resources in Ontario exceeded in a single year the sum paid to the Hudson's Bay Company for the transfer of Rupert's Land. That transaction was held to entitle the federal government to the natural resources of the West. 'How much better it would have been to have given Manitoba her lands and allowed her to pay this sum to that corporation.' By 1905, however, the agitation was presented as a partisan issue. Delegates to Ottawa returned with reports of a 'punishing and penalizing policy,' and of steps taken by the Papal Delegate to influence the suggested settlement in the interests of the Roman Catholic minority. The withdrawal of Keewatin from provincial control, to which it had been entrusted since 1876, was interpreted as a step towards the establishment in that territory of separate schools in order to 'force separate schools upon Manitoba under threat of refusing her natural and obvious claims of territorial expansion.' The charge was denied by Sir Wilfrid Laurier in the house, but a conference in 1906 between representatives of Manitoba, Ontario, Saskatchewan, and the federal government effected no settlement. The premier of Manitoba declared that 'supplication had been exhausted.' The 'boundary question' became the chief issue of a provincial election.

For four years negotiations remained at a deadlock. The speech from the throne in the House of Commons in 1907 alluded to a 'bill for the extension of the boundaries of Manitoba.' The provincial legislature met the announcement by a memorial demanding a 'mutual agreement' before the introduction of a federal bill, and financial terms equal to those granted to the new Provinces of Saskatchewan and Alberta; the federal government passed a resolution in favour of satisfactory extension of the boundaries to Hudson Bay, but left the financial terms a 'subject of negotiation.' A draft bill was submitted, but a conference in March 1909 having failed of settlement, the negotiations lapsed into a correspondence at cross purposes between the federal and provincial premiers. Among the issues of the provincial election of 1910, 'the boundary question,' said Premier Roblin, was 'undoubtedly the most important of them all.'

Negotiations, resumed to little purpose in the spring of 1911, gave still less promise of agreement with the certainty of a federal election and the announcement by R. L. Borden in Winnipeg that 'the day is not far distant when Manitoba, Saskatchewan, and Alberta will receive from the Liberal-Conservative government at Ottawa the just recognition of their undoubted right to the public lands and natural resources. . . . Manitoba is entitled to the extension of her boundaries upon just and reasonable terms.' The elections of September paved the way for a speedy agreement. A memorial from Manitoba reached the new government in November; Robert Rogers, formerly minister of Public Works in the Roblin administration, was now minister of the Interior at Ottawa; on November 20 Premier Roblin announced to the press that 'Manitoba comes into her own after forty years of struggle.'

The agreement, however, remained to be defined with regard to Ontario. Since 1908 it had been pointed out by Premier Roblin that at the adjustment of the Ontario boundary dispute, to the complete discomfiture of Manitoba, the federal government had been urged to 'settle now and forever the whole westerly and northerly boundary,' and that the terms, drafted by Sir Oliver Mowat, had been embodied

in both federal and imperial acts of parliament 'without changing one word.' New claims of Ontario for access to Hudson Bay, formulated at the conference of 1906, were determined only after another conference in January 1912. When the bill was introduced, it was found that the boundaries were those outlined in the resolution of July 1908. Ontario was pacified by a grant from the Dominion of a strip of land five miles in width through the new territory to the terminus of the Hudson Bay Railway, and of harbour facilities for ten miles on the right bank of the Nelson. The 'five mile strip,' however, was granted to the province as to a railway corporation and with no rights but those of economic ownership. Manitoba extended full legislative authority over a new district estimated at 106,304,000 acres, extending from the northern boundary of the old province to the 60th parallel of north latitude, and from the eastern boundary of Saskatchewan to Hudson Bay and a line drawn from the coast at the 89th meridian of west longitude to the eastern extremity of Island Lake and the north-eastern extremity of the old province. There was a littoral on Hudson Bay of five hundred miles. The financial terms were designed to place the province on an equality with Saskatchewan and Alberta. Swamp-lands reverted to the Dominion. The federal subsidy was increased from less than $840,000 in 1911 to nearly $1,350,000 for 1912. The 'land indemnity,' increased from $100,000 to $562,500, left the province, even after various deductions, a net sum of $413,370 'in respect of her public lands,' pending the settlement, indicated by Premier Borden at the second reading of the bill, of 'the terms upon which the natural resources of all three prairie provinces should be handed over to the administration of the governments of these provinces.' It was the turn of the liberal press to suggest complications with regard to separate schools and to decry the withholding of the natural resources. It was thought that the wealthier Province of Ontario would force another disappointing compromise. The Winnipeg *Telegram*, however, observed that the fairy slipper was found to fit the foot of the 'Cinderella of Confederation.' May 15, 1912, was 'the birthday of greater Manitoba.'

The province has at last reached what must be considered permanent boundaries, almost exactly a century after Miles Macdonell and his small party of settlers left Nelson Encampment on their journey, as he wrote, to ' the land of Promise.' During scarcely one-third of this period has the province enjoyed the railway communication which has made its recent prosperity possible. Only at the present time does the construction of the Hudson Bay Railway assure modern transportation by the route upon which for nearly half a century the Red River Settlement depended for subsistence.

Manitoba entered Confederation under circumstances that scarcely promised either domestic harmony or pleasant relations with the other provinces of the Dominion. The inhabitants of the Red River Settlement were ' sold like sheep ' in a commercial transaction which was negotiated from a London board-room. The Manitoba Act was effected by an insurrection which secured immediate concessions only by antagonizing forces which have since destroyed those concessions more completely perhaps in Manitoba than in any province in Canada. The cost of establishing Canadian authority was not forgotten in determining the financial status of the province. Ontario and Quebec, bound over to keep the peace by the terms of Confederation, have fought out their difficulties on Manitoban soil. Crown lands were withheld from the provincial government because these had been bought and paid for. The ' monopoly clause ' was defended because a national enterprise involving the welfare of the Dominion could not be jeopardized by measures which were admittedly of prime importance to Manitoba. ' If necessary,' it was stated frankly, ' the interests of Manitoba ' were to be ' sacrificed to the policy of Canada.' ' Disallowance ' was renounced only after the united province had resolved to exhaust every constitutional means at any cost to obtain redress. Autonomy in education was established only by the defeat at the polls of a federal government that had failed in every other measure of coercion. Even the problem of compulsory education is still complicated by the necessity of maintaining the conditions upon which the Privy

Council decided in favour of the city of Winnipeg in 1892.[1] The extension of the boundaries has been accomplished only after forty years of contention. The agitation for the reduction of freight rates has scarcely ceased since the arrival of the first regular train by the Pembina branch in 1878 ; while the predominantly agricultural interests of the West have been brought into unnatural juxtaposition with the manufacturing interests of the East. The exponents of 'Manitoba rights' can scarcely be accused of diffidence in making known their demands ; but no Canadian province, perhaps, has contended so continuously against disadvantages and political grievances. Only after forty years has Manitoba been placed upon an approximately equal footing with the other provinces of Confederation. The control of her natural resources is yet to be acquired.

It would be difficult fully to estimate the result had the Red River Settlement first become a crown colony capable of negotiating with the Dominion on terms of equality, and entitled thereby to the full control of her public lands. How far the chief difficulties might have been avoided had the special privileges, which have since disappeared, been sought by constitutional means rather than by insurrection, or had the province begun more modestly as a territory at a time when its entire population was less than one-half that of a single town in the least populous province of Confederation, it would perhaps be idle to inquire. It may be remembered that the convention, despite Riel's opposition, declared itself in favour of territorial status, and that official instructions to McDougall gave assurance of 'a liberal constitution as soon as you as Governor and your Council have had the opportunity of reporting fully on the wants and requirements of the Territory.'[2]

[1] 'The sole question to be determined was whether a right or privilege, which the Roman Catholic minority had previously enjoyed, had been affected by the legislation of 1890.'—*Report of Decision of Privy Council on the Manitoba School Case.*

'That was why the compulsory clauses were struck out in 1897.'—Sir R. P. Roblin.

[2] Howe to McDougall, December 7, 1869, read by Commissioner Smith at the convention, *Recent Disturbances in the Red River Settlement*, p. 36 ; the *New Nation*, January 21, 1870.

Under the circumstances the advancement of the province in wealth, in population, and in relative federal importance has justified with regard to the future a characteristic optimism which is almost indiscriminate. In 1911 nearly 5,000,000 acres of the old province were under cultivation. More than 150,000,000 bushels of grain were produced where Bishop Strachan in 1817 predicted ' the miseries of the polar regions ' in a ' dreary wilderness,' and in a district which Sir George Simpson gravely assured the parliamentary committee of 1857 was ' unfavourable for cultivation.' Winnipeg has rapidly become the first grain centre of the continent, with wheat receipts in 1911 of more than 101,000,000 bushels. The bank clearings have been multiplied by fourteen in eleven years, the civic assessment by nearly five within eight years ; the building permits of the last four years have exceeded the aggregate of the preceding nine ; the customs returns have been multiplied by ten within eleven years, the population of the city by more than three in ten years, the population of the province by more than eighteen in forty years. In 1879 Alexander Begg, in closing his narrative of *Ten Years in Winnipeg*, suggests ' why it is that her citizens wear that confident manner so typical of western enterprise.' It would be an omission to overlook at the close of another generation the same assertive confidence in the ' creation of a wealthy and prosperous city that the boldest enthusiasts . . . have hardly had the audacity to contemplate.'

The assurance of ample prosperity will invite, even if it does not involve, a discerning valuation in the future by less material standards. The province does not live by bread alone ; the note of confidence has not precluded a sense of difficulties and of possible danger. The burden of assimilating a population of nearly half a million, twenty-one per cent of whom are foreign-born, is the more pressing because it concerns the future even more than the present, and because it can be borne not by increasing the wheat harvest, but by the patient advancement of education. Headlong immigration would affect industrially what is now, but it would determine racially what ever shall be. It will exact with compound interest the penalty of failure to assimilate it as it

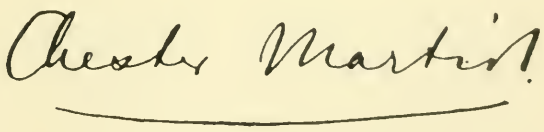
comes. It would be less than just, perhaps, to underestimate in this respect the value of an aggressive—almost a distinctive—prosperity. Abundant facilities for material advancement may be said to conduce to a frame of mind in the settler which falls readily into unquestioning conformity with the conditions which made that advancement possible. A seductive prosperity may constitute a danger if the optimistic enterprise of the West, like the touch of Midas, is able to transmute alien virtues only into gold.

Even political tendencies are scarcely to be dissociated from the social problems attendant upon rapid development. Less than fifty-six per cent of the present population has been resident more than a decade within the province. The proportion of British-born and of American, of the eastern Canadian and the thrifty Teutonic peoples of Europe, may be said to ensure the political safety of representative government. It is seen, however, that less advanced races may acquire the vote before a knowledge of its purpose or of its value, and are likely to acquire both long before a discerning appreciation of British traditions or of current political issues. This susceptibility to 'influence' of classes hitherto accustomed to political subjection may be taken as a prolific source of mutual crimination by rival political parties, neither of which can afford to neglect the 'uninformed vote.' The danger was avowed by Hugh John Macdonald in 1899, and its best remedy sought in the growing proportions of British immigration. The problems of citizenship, however, removed from direct and frank discussion for obvious reasons, are discernible in other issues. Direct legislation and the recall are advocated as correctives for arbitrary party domination and the immoderate influences of a party in power. The measures are opposed as 'un-British innovations,' because they have been evolved elsewhere in the absence of the automatic checks of the party system, because they are based upon the assumption of an impossible Utopian democracy, and are designed, by enlarging to the utmost the direct responsibilities of an uneven electorate, to increase the danger at the root of the electoral evils which those measures are recommended to obviate or to remedy. Simi-

larly, the problem of compulsory education in Manitoba is complicated not only by possibilities of renewed legal and constitutional conflict over the 'school question,' but also by the opposition of the Roman Catholic minority in retaliation for the denial of separate schools, and of other races who escape exclusively national English schools by claiming the right of instruction in another language, granted to the French Roman Catholic minority in 1897. It may be said that the problem of education for the foreign-born will scarcely be settled without the revival of the partisan issues of the 'school question' and the interplay of provincial and federal politics.

The future of Manitoba like its past can scarcely fail to be influenced by its geographical position. The district has passed through every stage from complete isolation to a degree of central importance. During the Selkirk régime it was an utterly remote and isolated primitive settlement. Under the Hudson's Bay Company it became the *ultima Thule* of civilization, an outpost of British interests west of the Great Lakes and north of the 49th parallel of latitude, in touch with an expanding sphere of settlement west of the Mississippi. After entering Confederation it formed for more than a generation the frontier province upon the threshold of untried resources in the territories beyond. The position of Winnipeg as 'the mouth of the funnel' through which the bulk of converging traffic from the American boundary to the Arctic Circle passes to the east, determines its importance as a wholesale and financial centre for distribution through channels radiating westward. Even with a successful issue to the Hudson Bay Railway and the shifting northward of the centre of gravity of the prairie provinces, Manitoba will occupy an exceptional position. It is a maritime province in the centre of a continent—scarcely more than two hundred miles farther by sea from Liverpool than is Montreal, less than four hundred miles from Lake Superior, the head-waters of the St Lawrence system, and less than five hundred miles from the navigable head-waters of the Mississippi. Seward in 1860 predicted that 'the power which will communicate and express the will of men on this continent' will find its

central seat near the sources of the great waterways. There is a sense in which Manitoba is well adapted, by tradition and by environment, to mediate between the East and the West. The province has a history intimately connected with British and Canadian traditions, while its economic development is intimately connected with that of the western prairies. Even the resources of the province—the maritime possibilities on Hudson Bay, the depth and fertility of the soil, the wealth of available water-power—may be said to give promise of uniting the interests of the sea, the prairie, and the factory, at a point where such a medium might serve to reconcile the more distinctive interests of East and West. The province to which, on account of 'its geographical position and its peculiar characteristics,' Lord Dufferin referred as the keystone of an arch spanning the continent from the Atlantic to the Pacific, now extends at that point, in ampler justification of the metaphor, from Hudson Bay to the American boundary. It is a coincidence that the conjunction of the old and the new—of the past and the future—is reflected even within the province. The present administration of Manitoba goes back in point of time and perhaps in direct tradition further than any existing provincial government of the Dominion, while in enterprise and in point of view the temper of the province is essentially of the future. It may be said that the vision of the founder of the Red River Settlement has now after a hundred years become a prospect within the bounds of probability. Selkirk's prophecy at the beginning of the nineteenth century gives promise of fulfilment during the twentieth. 'It is a very moderate calculation to say, that if these regions were occupied by an industrious population, they might afford ample means of subsistence to more than thirty millions of British subjects.'



SASKATCHEWAN AND ALBERTA: GENERAL HISTORY, 1870-1912

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I

GROWTH OF SETTLEMENTS AND INSTITUTIONS

THE Canadian Provinces of Alberta and Saskatchewan resulted from three constructive conceptions on the part of the Dominion government, a logical and inevitable development of policies, separated from each other by periods approximating a decade and a half. The acquisition of the territory in 1870 from the Hudson's Bay Company gave Canada the land. The building of the Canadian Pacific Railway (1880-85) rendered access to the country possible and easy. A vigorous immigration policy since 1897 has peopled the land with settlers. These settlers have attained a material prosperity and these provinces have gained an influence in the economic and political life of the whole nation that pioneers even in their most sanguine dreams could never have anticipated. The whole process of acquisition, settlement, and political and economic development of the North-West lies within the memory of men not yet old.

Two centuries after Prince Rupert secured its charter from his royal uncle, the Hudson's Bay Company returned to that position which it was originally expected that it should occupy. Henceforth it was to be simply a commercial corporation. The territory over which it had so long held sway experienced a fate which none of the early 'Adventurers' could have dreamed of or desired. It became one with the country of the St Lawrence.

It is not known how many people lived in the Hudson's Bay territory at the time (1870) when the transfer to Canada took place. The white inhabitants were greatly outnumbered

by the Indians, of whom there were probably less than thirty-five thousand ; and the majority of the whites were traders and hunters. Two centuries of Hudson's Bay Company rule had done almost nothing for tillage, and, apart from a certain concentration of interest at the company's posts, nothing for social life. It had established well-defined routes over the plains, had accustomed the Indians to the presence of the white trader, and had maintained a measure of order. All this was not without significance. But agriculture and surveyed lands, an educational system, municipal and judicial institutions constituted no part of the company's legacy to the Dominion. The entire economic basis of the country had to be changed and its whole political structure created.

The pioneers of the new Canadian territories, out of which three provinces were subsequently formed, were favoured by two circumstances of primary significance. From the beginning order and justice were secured to the settlers by the establishment of an efficient police corps and a crude but effective judicial system, and provision was made at an early date for schools and local institutions. No governmental policy could obviate the loneliness and hardships of pioneer life, but few pioneer settlers have enjoyed a greater measure of security in the midst of a considerable aboriginal population, have been accorded more generous treatment in the matter of their children's education, or have advanced in a shorter period from a state of political incapacity to the enjoyment of complete self-rule.

Order and Justice

The Royal North-West Mounted Police.—Organized in 1873 with an initial strength of three hundred men, the Royal North-West Mounted Police were first stationed at old Fort Walsh under Commissioner French, who was a member of the North-West council. The officers of the force not only maintained order throughout the country, but they also suggested legislation. The early territorial ordinances governing irrigation, branding of stock, and marriage by justices of the peace have their origin in that knowledge of local conditions which the police alone possessed.

A FUR TRADER OF THE FAR NORTH

The value of the contribution of the mounted police to the North-West is incalculable. Their very presence made for peace and order. They compelled and earned the respect of Indians and half-breeds, and won the gratitude of settlers. They crushed lawless outbreaks such as that of Almighty Voice at Duck Lake. In the half-breed insurrection, the force at Fort Carlton in the centre of the disaffected district furnished a nucleus of resistance around which the settlers of Prince Albert bravely rallied.

With the transfer of their headquarters to Regina and the increase in the strength of the force, the police became responsible for the peace of a district larger than many European kingdoms, and performed important national services by means of their patrols. Thanks to their efforts, Canada never had a Wild West or an unsafe North.

The Judicial System.—But if the police system sprang full-armed from the head of the Dominion premier, the judicial system did not come into existence at once so efficient and so complete. The process of its development was native to the western soil.

The North-West Territories Act, 1875, provided for the appointment of not more than three stipendiary magistrates, who were given the power of two justices of the peace in the trial of offences, and granted authority to try all cases in which the maximum penalty was less than five years' imprisonment. More serious cases were reserved to the chief justice or to any judge of the Manitoba Court of Queen's Bench with one of the stipendiary magistrates as an associate. When the offence was punishable by less than five years' imprisonment, the trial was summary. Unless the offence was punishable by death, the employment of a jury was left to the option of the accused in cases where the maximum punishment exceeded five years. In capital cases the jury did not exceed eight, in other cases six, in number. In cases involving the death penalty, appeal to the Court of Queen's Bench of Manitoba was possible. Provision was made in the case of offences punishable by death or imprisonment in the penitentiary whereby the stipendiary magistrate of the territories or the chief justice or judge of the Manitoba Court of

Queen's Bench should have the right to remove the accused to Manitoba for trial by the Court of Queen's Bench. In such trial the jury laws and the laws of criminal procedure of Manitoba prevailed. Punishment, however, was awarded according to the laws in force in the North-West Territories.

Two years later the powers of the stipendiary magistrates were enlarged. In certain civil and criminal matters they were given exclusive jurisdiction, and in the trial of more important cases rights of jurisdiction in association with two justices of the peace.

In the session of 1877 the North-West council enacted its first legislation respecting the administration of justice. The following year provision was made for judicial districts. In 1880 stipendiary magistrates were for the first time required to be members of the legal profession with a standing of at least five years. At the same session they were granted a certain criminal jurisdiction. In 1884 a High Court of Justice with district divisions was established. The stipendiary magistrates became judges of this court.

Dominion legislation in 1886 established the Supreme Court of the North-West Territories. This new court consisted of five puisne judges and was a court of record of original and appellate jurisdiction. The law of England as it existed on July 15, 1870, modified by any act of the imperial or federal parliaments applicable to the territories, or by any ordinance of the lieutenant-governor in council, was made the law of the territories. The judges were to reside at points in their several districts named in their commissions. The court was to sit *en banc* at the seat of government at such times as the lieutenant-governor in council appointed. The act also made provision for the appointment of judicial districts, sheriffs, and clerks of the court.

Following upon this Dominion legislation a judicature ordinance was drafted by Justice Richardson and passed by the North-West council, to serve later as the basis for the acts that brought into existence the Supreme Courts of the Provinces of Saskatchewan and Alberta.

Education

The crushing of the half-breed rebellion of 1885 made the prairies for ever a safe habitation for the white population. It was, however, not sufficient that the settlers should be secure from attack, and that the resources of the Dominion could be relied upon to quell uprisings. If the prairies were to be peopled with homes, if the settlers were ever to participate in the councils of the nation, it was imperative that educational facilities should be provided for the children, and that some measure of self-government, even if at first of an extremely local and rudimentary nature, should be granted those who in their eastern homes had long enjoyed the privilege of self-rule. It is to the credit of the settlers that they addressed themselves early to the problem of providing for the education of the young. Though the buildings were often crude, the pupils' desks not seldom home-made, and the attendance generally so small as scarcely to seem to warrant the employment of a teacher, yet here and there on the wide prairies little frame schoolhouses rose to bear testimony that the territorial government kept faith heroically with the settlers, and afforded the members of the tiny communities a gathering-place for social intercourse, religious worship, and the transaction of local business.

> As there is no factor in the national greatness of a country of more importance than its Public Schools, no more powerful lever to turn the tide of immigration, no more potent agent to attract the European settler to make a home here, any expenditure that tends to enlarge and solidify our school system must be most effectual in bringing settlers from the Old World to this vast, undeveloped land.

This extract from the first annual report of one of the first inspectors of schools in the North-West Territories indicated clearly the double motive that has prompted the liberal expenditure which has ever characterized educational policies in the West, the desire not only to afford educational facilities

to those already in the country, but also to attract settlers to the country by the educational advantages afforded.

The educational clause of the North-West Territories Act of 1875 made provision for the existence of separate schools, and thus sanctioned the reproduction in the territories of the system of Ontario and Quebec. But though provision was made to safeguard the wishes of minorities, the act did not devise machinery to establish or support separate schools under the conditions of sparse settlement which then prevailed in the territories.

The third petition presented to the North-West council had reference to education. On March 9, 1877, Lieutenant-Governor Laird presented a petition from Moise Ouellette and Pierre Landry for a school at St Laurent.[1] The council, however, had no funds applicable to educational purposes; nor did it think the time opportune to establish a system of taxation, as the case of St Laurent was typical of conditions in other settlements in the territories. Lieutenant-Governor Laird forwarded the petition to the minister of the Interior and expressed the fear that without some allowance from the Dominion government the children in small settlements in isolated sections of the territories would grow up in ignorance, unfitted not only to exercise the franchise intelligently when they should obtain the privilege, but also to discharge the active duties of life. The Honourable David Mills in his reply to this petition, under date of January 14, 1878, suggested the formation of self-taxing school corporations which could be assisted by sums granted by the Dominion for the government of the territories.[2]

The council hastened to take advantage of this suggestion. In the next estimates forwarded to the minister of the Interior is found the item—'In aid of Schools: $2000.00.'[3] According to the North-West Territories Act of 1875, the council had no authority to erect municipal corporations or districts with power to assess for school purposes unless they were

[1] It is interesting to note that in 1909 the University of Saskatchewan was located near the same district.

[2] *Journals of the Council of the North-West Territories of Canada*, 1878, Appendix A.

[3] *Ibid.*, 1879, Appendix A, p. 23.

part of an electoral district. But no electoral district could be formed with less than a thousand inhabitants of adult age within an area of a thousand square miles. This occasioned some dissatisfaction in the territories. On January 1, 1879, Lieutenant-Governor Laird wrote to Ottawa urging some such amendment of the North-West Territories Act as would enable the people of any settlement with a sufficient number of children to form a school, to assess themselves towards its support. The scheme that the lieutenant-governor proposed was to aid schools supported by missions or voluntary subscriptions of settlers to the extent of paying half the teacher's salary in cases where there was a minimum average of fifteen scholars taught.[1] The first organization of local districts in the territories was for school purposes. During the recess between the sessions of 1883 and 1884 many suggestions were received from those who took an interest in education concerning a school bill that had been introduced in the session of 1883 to provide educational opportunities even where it was deemed inexpedient to form municipalities. On August 6, 1884, the council passed 'An Ordinance providing for the organization of Schools in the North-West Territories.' This legislation established a public school system for the territories. In this scheme separate schools constituted an essential element. A Protestant or Roman Catholic public or separate school district could be erected out of an area not greater than thirty-six square miles which contained not less than four resident heads of families with a population of not less than ten children between the ages of five and sixteen. No religious instruction was permitted until three o'clock in the afternoon, after which hour any instruction permitted or desired by the trustees of the district could be given. The Dominion government granted an adequate subsidy, and the erection of school districts proceeded forthwith.

The dates of the erection of school districts serve as an index to the educational progress of the various sections of the territories. The pioneer school districts deserve mention.

[1] *Journals of the Council of the North-West Territories of Canada*, 1879, Appendix A, p. 27.

In 1884 four were erected in the territories—Moose Jaw, Qu'Appelle, Prince Albert, and Regina. In 1885 the following school districts were erected in the order indicated: Broadview, Kenlis, Edmonton, St Andrews, Colleston, Prince Albert East, Wapella, Moosomin, Saskatoon, Little Pipestone, Montgomery, St John, Red Deer Hill, St Catharines, Calgary, Park, Eden Grove, Rocanville, Belmont, Sturgeon, Wolseley, Fort Qu'Appelle, Ravine Bank, Maple Green, Wascana, Round Plain, Poplar Grove, Thistle, Summerberry, Summerhill, Westfield, Greenville, Abbottsford, Sunnymead, Mount Pleasant, Bonnycastle, Lindsay, Kinistino, Hillburn, Island Lake, Fleming, Fairfield, Macleod, Pheasant Forks.

Among the earliest Roman Catholic public school districts erected were St Antoine, Saskatchewan, St Albert, St Leon, Cunningham, Bellerose, St François-Xavier, Stobart, St Laurent, and Lourdes. The earliest Roman Catholic separate school districts were Lacombe, St Andrew, St Mary, St Margaret, St Peter, and Prince Albert.

There were not wanting obstacles to hamper educational progress. Of these the most serious was the existence of unsettled odd-numbered sections which prevented the great majority of the settlers from organizing into school districts. The council laboured under restrictions in the disposal of the sums devoted to school purposes. Not the least important difficulty encountered in establishing and sustaining schools as well as municipal organizations was the circumstance that the Dominion government was interested in several town-sites in the territories and it was impossible to collect taxes from their unsold lots. This difficulty, however, was removed when the Dominion government rendered its property liable to taxation.

Beginning with 1885, a standing committee on schools was appointed at every session of the council. In addition a board of education was formed for the control and management of educational interests in the North-West Territories. This consisted of five members—two Roman Catholics, two Protestants, with the lieutenant-governor as chairman. The Protestant and Roman Catholic sections of the board had distinct jurisdiction over the Protestant and Roman Catholic

separate schools respectively, while the whole board had joint jurisdiction over public schools. This board was kept in touch with the North-West council by the provision that, in addition to the lieutenant-governor, two of its members should be members of the council.

The provision allowed by the Dominion government for schools was fairly adequate. In apportioning the grant the territorial government paid schools with an average minimum attendance an amount that varied with the average attendance, the qualification of the teacher, and sometimes with the recommendation of the inspector. After the voting of a lump sum had displaced the itemized Dominion grant, the territorial government was given a freer hand in the disposal of its funds for educational purposes, and in 1892 asserted a fuller control of its educational system by abolishing all special privileges for separate schools. In providing a uniform inspection for all schools it gave the territories what was destined to abide, even after the provincial status was obtained, as their system of public or national schools.[1]

[1] The following table indicates the educational advance of the territories to the time of the erection of the provinces :

Year	Schools in operation	Pupils enrolled	Teachers employed	Total grants paid to schools
				$
1886	76	2,553	84	8,908.72
1887	111	3,144	125	36,897.47
1888	131	3,453	150	44,547.06
1889	164	4,574	183	56,984.63
1890	195	5,389	224	85,002.55
1891	213	5,652	248	129,042.01
1892	249	6,170	295	121,056.94
1893	262	8,214	307	106,576.59
1894	300	10,721	353	113,999.85
1895	341	11,972	401	112,182.90
1896	366	12,796	433	126,218.21
1897	394	14,576	457	121,457.18
1898	426	16,754	483	133,642.79
1899	454	18,801	545	142,455.89
1900	492	20,343	592	168,322.03
1901	564	23,837	682	162,215.07
1902	640	27,441	783	155,558.41
1903	743	33,191	916	213,764.72
1904	917	41,033	1,129	239,380.01

In 1905, on the creation of the provinces, there were in the territories 1459 regularly formed school districts : 702 in Assiniboia, 551 in Alberta, and 206 in Saskatchewan.

The Beginnings of Settlement

In spite of a marvellous mineral wealth in the western districts, what has constituted at once the chief asset and the greatest attraction of the territories for immigrants has been the boundless stretches of cultivable land available for settlement. An exceedingly interesting forecast of the productive areas was made on March 1, 1872, in Colonel John Stoughton Dennis's first report to the secretary of state. Basing his classification on reports of official explorations, and information obtained from the Hudson's Bay Company's posts and from mission stations, Dennis estimated that there were 32,000,000 acres unavailable for cultivation, being the extension of the great American desert into Canadian territory; 76,800,000 acres of prairie country unsurpassed for agricultural purposes with occasional groves and belts of timber; 298,384,000 acres of timber-land with occasional large prairies (as in the Peace River district) adapted for the growth of wheat and other cereals and possessing an abundance of timber; 594,048,000 acres sufficiently supplied with timber and adapted for the cultivation of potatoes, barley, and grasses; and 411,072,000 acres of fur-producing region, rock, swamp, and barren lands, in which the timber growth extending up from the south gradually disappears.

Such was the land that invited settlement—a broad prairie land, a land that for a century had been traversed by white explorers and traders, and for untold centuries had been the home of Indians and buffaloes. Before the time of the transfer to the Dominion, the chief white population was associated with the Hudson's Bay Company. But others were in the country. Typical of these is Ambrose Fisher, who until recently lived at Duck Lake. Born in 1833 at Prairie du Chien, Fisher came to Point Douglas in 1847 and was educated under Bishop Anderson at St John's. Here he came in contact with the sons of many Hudson's Bay Company factors and from them learned to speak Cree. On leaving school he began to sell whisky to the Indians. He purchased his supplies in St Paul, Minnesota. The trip

from Qu'Appelle and return consumed the whole summer, but the profits were enormous. The cost price of alcohol was sixty cents a gallon. Out of each gallon he made five gallons for trade, and in exchange for buffalo robes, which he was able to sell for from five to nine dollars, he gave the Sioux, Crees, or half-breeds sometimes one pint, but sometimes only half that amount. Out of an investment of $494 he made $16,800 in a single trip. In the days when his trade was plied, land would not be taken as a gift.

Fisher went to Duck Lake in 1872. Next spring some half-breeds, who had tried to winter at Gabriel's Crossing, took land at this place. They recognized that a new order of things was being established. The buffalo was disappearing. Although on more than one occasion afterwards hunters saw the prairies black with these monarchs of the plain, yet the double-barrelled flint-lock had already sealed their doom. The life of the hunter had been as exciting as that of the trader had been remunerative. A great hunt presented a thrilling scene, with its three hundred riders rising in their stirrups with guns held high, lead balls in mouth, and muttering prayers for success, and then charging wildly with guns brought down so close that the discharge of powder seemed to burn the animals. This, however, was a poor preparation for the humdrum life of farming, taxes, railroads, and governments. Now that the buffalo chase was soon to be no more, the transfer of the country to the government of Canada seemed to mean to the North-West Territories the passing of the trader and the hunter as well as of the Indian and the half-breed. However, this change cannot be attributed wholly to the influence of the Dominion government, nor was the process of the transformation, however complete, instantaneous.

To the place of the hunter and trader succeeded the rancher and farmer. The tent and camp gave way to those more permanent habitations, the dug-out and the shack. Agricultural operations in the North-West were at first confined to the districts about Winnipeg and the plains of Portage la Prairie. Here, where the water systems of the prairies meet, developed settlements that yielded agricultural products

for the white and half-breed traders, the Indian and half-breed hunters. Settlers and traders trekked from the Red River to the valley of the Saskatchewan, to the Sturgeon, the Vermilion, the Battle, and the Red Deer rivers. Communities grew up at Qu'Appelle, Macleod, and other places.

The system of surveys under which the land of the North-West was parcelled out was originated by Colonel Dennis. In 1872 the total acreage of surveyed lands in the North-West was 1,156,654 acres, all within the Province of Manitoba. The issue of letters patent for land began in 1873, in which year forty-six were granted, covering an area of 12,553 acres. Up to 1879 no distinction existed between odd and even numbered sections. The custom was to recognize the possessory rights of squatters. After the completion of surveys, it was found that some farmers had settled on odd-numbered sections, others on school lands, and others again on Hudson's Bay Company sections. The North-West council urged that the Dominion government should issue patents to secure the claims of those who had settled in good faith. In the Dominion Lands Act, 1883, the government recognized the validity of these claims, but only to the extent of one quarter-section, except in cases where there had been cultivation of more than that area. In addition, whenever it was available and applied for, the government allowed the pre-emptive right to an adjoining quarter-section.

Until the construction of the railway, settlement was chiefly along the rivers. Practically no social institutions existed. Education and religious services were associated with missions. Political and social life were yet unmade. Means of communication were scanty. When Colonel Macleod attended the first session of the North-West council at Swan River in 1877, he had to travel from Macleod to Franklin, thence by the Union Pacific and other railroads to St Paul and Moorehead, by stage to Winnipeg, and by dog train 330 miles to Swan River. Practically all transportation was by Red River carts. In 1876, between four and five thousand carts were loaded at Winnipeg to cross the plains. Each cart carried on an average a thousand pounds

A RED RIVER CART AND DRIVER

From a photograph by Mathers, Edmonton

of provisions and other supplies, and was drawn by a single animal. The majority of the trails followed old Hudson's Bay Company routes. Many ran from Manitoba westward. A great trail connected the boundary-line, Fort Macleod, Calgary, Edmonton, and Athabaska Landing; another ran from Edmonton via old Fort Assiniboine to the confluence of the Smoky River with the Peace River. The plain still swarmed with buffalo. The Indians, many of whom, like the warlike Blackfeet, were still untractable and hostile, lived on the product of the chase. The period of transition coincides roughly with Lieutenant-Governor Laird's tenure of office. The buffalo rapidly disappeared. Treaties were negotiated with the Indians.

Formed after the pattern of the North-West Angle Treaty in 1873, the Qu'Appelle Treaty had won the goodwill of the Crees, the Chippewas, and the Salteaux. The Winnipeg Treaty extinguished the Indian title to the district north of Lake Winnipeg. Treaties made at Fort Pitt and Fort Carleton left unsurrendered only that portion of the territory between the boundary-line and the 54th parallel, which was occupied by what were at the same time the most intelligent and the most warlike of the aboriginal population, the Blackfeet, Blood, Sarcee, and Piegan Indians. The conclusion of the treaty with the Blackfeet by Lieutenant-Governor Laird on September 22, 1877, was accordingly of the utmost significance. Not only did it constitute a peaceful community in the foothill country, it also forestalled the Sioux in their attempt to involve the Blackfeet in their war with the American troops and enabled the Royal North-West Mounted Police to deal more effectively with Sitting Bull and his followers during the period when the Sioux, fearing American revenge for the Custer massacre, maintained their unwelcome sojourn within the territories. The following extracts from speeches made in the negotiations between Lieutenant-Governor Laird and the Indian chiefs will illustrate not only the usual mode of procedure in such cases, but also the attitude of the Indians to the police and the great tact displayed by Laird.[1]

[1] A. L. Haydon, *Riders of the Plains*, chap. iv.

Chief Crowfoot: We are the children of the plains, it is our home, and the buffalo has been our food always. I hope you look upon the Blackfeet, Bloods, and Sarcees as your children now, and that you will be indulgent and charitable to them. They all expect me to speak now for them, and I trust the Great Spirit will put into their breasts to be a good people—into the minds of the men, women, and children, and their future generations. The advice given me and my people has proved to be very good. If the Police had not come to the country, where would we be all now? Bad men and whisky were killing us so fast that very few indeed of us would have been left to-day. The Police have protected us as the feathers of the bird protect it from the frosts of winter. I wish them all good and trust that all our hearts will increase in goodness from this time forward. I am satisfied. I will sign the treaty.

Button Chief: I can sleep now safely. Before the arrival of the Police, when I laid my head down at night, every sound frightened me; my sleep was broken; now I can sleep sound and am not afraid. The Great Mother sent you to this country, and we hope she will be good to us for many years.

Lieutenant-Governor Laird: The Great Mother loves all her children, white men and red men alike; she wishes to do them all good. The bad white man and the bad Indian she alone does not love, and them she punishes for their wickedness. The good Indian has nothing to fear from the Queen or her officers. You Indians know this to be true. When bad white men brought you whisky, robbed you, and made you poor and, through whisky, quarrel amongst yourselves, she sent the Police to put an end to it. You know how they stopped this and punished the offenders, and how much good this has done. I have to tell you how much pleased the Queen is that you have taken the Police by the hands and helped them and obeyed her laws since the arrival of the Police. She hopes that you will continue to do so, and you will always find the Police on your side if you keep the Queen's laws. The Great Mother heard that the buffalo were being killed very fast, and to prevent them from being destroyed, her Councillors have made a law to protect them. This law is for your good. It says that the calves are not to be

killed, so that they may grow up and increase ; that the cows are not to be killed in winter or spring, excepting by the Indians when they are in need of them as food. This will save the buffalo, and provide you with food for many years yet, and it shows you that the Queen and her Councillors wish you well.

But in a very few years the buffalo will probably be all destroyed, and for this reason the Queen wishes to help you to live in the future in some other way. She wishes you to allow her white children to come and live on your land and raise cattle, and should you agree to this she will assist you to raise cattle and grain and thus give you the means of living when the buffalo are no more. She will also pay you and your children money every year, which you can spend as you please.

If you sign the treaty, every man, woman, and child will get twelve dollars each ; the money will be paid to the head of each family, for himself, his women, and his children ; every year, forever, you, your women and your children will get five dollars each. This year Chiefs and Councillors will be paid a larger sum than this ; Chiefs will get a suit of clothes, a silver medal, and flag, and every third year will get another suit. A reserve of land will be set apart for yourselves and your cattle, upon which none others will be permitted to encroach ; for every five persons one square mile will be allotted on this reserve, on which they can cut the trees and brush for firewood and other purposes. The Queen's officers will permit no white man or half-breed to build or cut the timber on your reserves. If required, roads will be cut through them. Cattle will be given to you and potatoes, the same as are grown at Fort Macleod.

The result of these treaties was to put an end to the savage and disastrous wars between the Indians. That this should have been accomplished prior to the coming of the railroad and the great influx of settlers was of paramount importance for the peaceful settlement of the country.

The selection of Battleford as the capital was due not simply to its central position, but also to the circumstance that the country where the two branches of the Saskatchewan converge was the most thickly settled. The *Saskatchewan Herald* of November 3, 1879, stated that, while the bulk of the

immigration of the previous year had remained in Manitoba and on the eastern frontier of the territories, a good many settlers had taken land at Prince Albert, at Duck Lake, on the south branch of the Saskatchewan, and at Battleford, and that others of a most desirable class had gone west to Edmonton, Hay Lakes, and elsewhere. On February 23, 1880, the same paper declared that the territories possessed a white and half-breed population equal to that of British Columbia. The district around Prince Albert was the first to possess a population of a thousand inhabitants of adult age within an area of a thousand square miles. This was in the electoral district of Lorne. In the south the electoral districts of Kimberley and Salisbury, embracing the regions between the Qu'Appelle and the Moose Jaw rivers, were communities with populations almost as great. This was in 1881, when the total population of the territories was 56,446. The *Saskatchewan Herald*, May 23, 1881, says :

> The numerous changes of route that have from time to time been made have blasted many a nice scheme on the part of speculators who thought they had the inside track, and relegated to their original solitude many ambitious hamlets that aspired to become powerful centres of trade.

The building of the Canadian Pacific Railway diverted the bulk of the comparatively small stream of immigration to the southern part of the territories.

Development in the Eighties

The decade that followed the building of the Canadian Pacific Railway was wonderfully constructive : only the influx of population was disappointing. The Edmonton *Bulletin*, on November 1, 1884, insisted that

> the land, timber, mineral, grazing and railway policies should be dictated first, last and always by a desire to induce settlement and the development of the resources of the country.

But though it brought few settlers at first, the building of the railway was the inception of the new North-West. Within ten years were laid the municipal, educational, judicial, and legislative foundations of the territorial system. If the coming of the Canadian Pacific Railway was the inauguration of the new order for the white settlers, the insurrection of 1885 was the final passing of the old order for the original inhabitants of the plains. The crushing of the Riel rebellion definitely gave the North-West over to order and progress. The significant feature of the uprising was its date. During the previous year the North-West council had devoted its legislative activity to the establishment of a school and municipal system. The year following the uprising saw the judicial system practically completed. The year subsequent to this again witnessed the last session of the North-West council and the establishment of representative government. We have only to read the files of the various territorial newspapers of the time to know that the Indians and half-breeds had been constant sources of alarm. The crushing of the insurrection permanently banished the spectre of Indian disorders. The victory of the Dominion troops assured the dominance of the white settlers. Six years later a parliamentary struggle between representatives of the settlers and a representative of the Dominion authorities gave the territories the substance, if not the forms, of responsible self-government.

It was during this period, then, that the people of the territories first awakened to political consciousness, indistinct as that consciousness at first was. So long as the Red River cart reigned supreme on the prairie, intercourse between communities was at best very meagre. The Canadian Pacific Railway greatly foreshortened the territories from east to west. The operation of a common school and municipal system, and the greater representation in the North-West council, due to the erection of new electoral districts, gave the settlers interests that were common.

Not the least important contribution to this feeling of territorial oneness was made by small but insistent pioneer newspapers. The father of territorial journalism and not

the least optimistic editor was P. G. Laurie, who, after a varied experience both in Ontario and Manitoba, came to Battleford as government printer for Lieutenant-Governor Laird. There he established the *Saskatchewan Herald*. During the half-breed insurrection Laurie performed picket duty by day and set up type by night. Perhaps the most interesting venture in journalism was the *Bulletin* published at Edmonton by Taylor and Oliver. This small sheet, five by seven inches in size, was first issued on December 6, 1880. The first number reports the weather to be forty-seven degrees below zero, criticizes the Dominion government for its administration of Indian affairs, and promises its readers to give 'the most notable occurrences in the world at large and matters concerning the North-West Territories in particular, local news from all parts of the Upper Saskatchewan country, opinions on matters and things connected with the North-West, and a synopsis of the news brought in by the previous mail.' The *Bulletin* increased in size and importance as it grew in circulation. In 1882 Spink and Maveety with Fitzgerald Cochrane as editor began the *Prince Albert Times and Saskatchewan Review*. C. E. D. Wood, to quote the editorial salutation on July 1, 1882, 'launched the infant copy of the Ft-Macleod *Gazette* upon the sea of public opinion,' to serve the rapidly increasing settlers and stock-owners of the Bow River district. On March 1, 1883, under the management of Nicholas Flood Davin, appeared the Regina *Leader*, and on August 31 of the same year the Calgary *Herald* was established. Moosomin, Medicine Hat, and other towns soon came to possess newspapers which, if not great, yet not only reflected but inspired enterprise. A curious phenomenon was the manuscript news-sheet which in more than one community endeavoured to stimulate social life. An excellent example was that issued in the Temperance Colony at Saskatoon. The first number of the Saskatoon *Sentinel* (August 9, 1884) consisted of seventeen pages of manuscript carefully written by the school teacher and passed around the whole community. All papers alike faithfully reflected the consciousness of the settlers that they were pioneers and their determination to win success by insisting upon the advan-

tages afforded by the country. Two extracts from the Saskatoon *Sentinel* will illustrate the spirit of territorial pioneer journalism.

> 1. Here on the rich plains of this great North-West does the pioneer, too, exercise the strong arm of industry and perseverance, but his is not the long and patient battle of our forefathers. Nature supplies the rich loam already impatient for the ploughman's steel, whilst an invigorating and generous climate is prepared to bless his efforts with ample reward.
>
> And if we occasionally hear longdrawn sighs for the fleshpots of more Egyptian days, and listen to the long-drawn memories of happier hours, we should not wonder at occasional heartburnings for old associations and long-established friendships. The change from comfort and luxury to the loghouse and boundless prairie is great indeed.
>
> 2. SUFFERER.—Evidently you possess the blues. What did you expect Saskatoon to be—a second edition of Montreal or Chicago ? You are too darn ' previous ' for this country, friends. We want men of pluck and spirit out here, able to do lots and give their tongues a rest. If you can't find more suitable employment, gather mushrooms and say your prayers, that is, if you do pray. Try the digging of a cellar, 14 by 10. From experience we can recommend it as an excellent cure for your contemptible ailment.

After a decade of tiresome delay the railroad had pushed steadily westward till the lakes were joined to the mountains. Then for freighters transportation routes which had run east and west began to be established running north and south. Settlements had formerly grown up along the rivers. Now they followed the line of railway. Even though freight trains were irregular and passenger service uncertain, communication with the outside world had been established. The absence of trees, the cold of the winter, distance separating neighbours, the lack of social intercourse, the long hauls to inadequate markets, the failure of the railways to build branch lines, an insufficient acquaintance with the principles of semi-arid agriculture—with these difficulties hardy pioneers

struggled, finding many a compensation as often in hope as in realization, till at last the tide turned and the reward of patience and endurance came.

In the system of township surveys adopted, the even-numbered sections, except 8 and 26 which were allotted to the Hudson's Bay Company, were open for homestead entry. Odd-numbered sections, except 11 and 29 which were assigned to school purposes, were held for sale or given in aid of railway construction. Assistance granted railways rendered possible the development of the country. The existence of these unoccupied odd sections, however, was a great barrier to settlement. They separated the settlers, prevented school organization and the erection of municipalities, and materially increased the danger of prairie fires. They were held by companies and individuals for speculative purposes and in the Canadian Pacific Railway belt were exempt from taxation. The council endeavoured without avail to induce the government to acquire these sections for homestead purposes.

The custom of granting leases of large portions of land fit for cultivation and required for actual settlement was the cause of much dissatisfaction. Likewise the system of granting immense tracts of the choicest lands to colonization companies was asserted to be inimical to the best interests of the country. The Edmonton and Saskatchewan Land Company actually received land that was thickly settled. Reservations held by the government at Regina and Moose Jaw and at the Mile Belt Reserve constituted another cause of complaint in which the settlers were vigorously supported by the council. Bona fide settlers who had located upon these lands before the Dominion Lands commissioner withdrew them from entry were driven from their claims.

The growth of population for the decade following the construction of the railway averaged little more than a thousand persons per year. Of these Assiniboia received the largest share. Its south-eastern portion was settled in 1882 under the belief that the Manitoba South-Western Railway would be extended at an early date as far west as the Souris coal-fields and Regina, but for some years the

settlers remained from fifty to a hundred miles from a railway. Broadview, Qu'Appelle, Regina, and Moose Jaw were settlements of moderate size as early as 1883. On March 31, 1883, the Regina *Leader* published an editorial, ' Progress of Regina ' :

> New buildings are rising along Broad Street on which now all the lots are taken up under building conditions, and within the area bounded by South Railway, Victoria, Albert and Broad Street there is room for a good city. The railway traffic is increasing. Arrangements are in progress for digging a public well. Churches are about to rise, and what is better than this there are already in Regina ministers of the Gospel who are emphatically first-class men. A citizen has been born in Regina and in time such an event will be no longer singular. There are a considerable number of lawyers here—a sure sign that there will be something worth fighting over. The hotels are full, though we have heard a discontented landlord say that he would not think his hotels full until his guests were lying thick as eels in a mud-hole—in beds, bunks, and along the passages. Around Regina for twenty miles the land is taken up, and this is the reason why people have faith in the most maligned city the world ever saw.

In the north, Edmonton was large enough to become an electoral district in 1883. Prince Albert was steadily advancing, but not so rapidly as communities along the Canadian Pacific Railway ; Moose Mountain, Calgary, Moosomin, Macleod, and St Albert were assuming considerable importance. Although a number of speculators flocked to the country in 1883, the succeeding years witnessed the arrival of settlers who came to make their homes on the prairies. A large number of stockmen who had been engaged in the cattle industry in the Western States selected cattle ranches in the western portion of the territories. A number of wealthy families settled there in the summer of 1886 to engage in stock-raising. Assiniboia was devoted largely to agriculture, and in 1885 could boast no less than fourteen exhibitions held by agricultural societies. In 1886 several German,

Swiss, and Hungarian colonies were established in Eastern Assiniboia at Alsace, Bismarck, Hohen-Holme, and Esterhazy. In 137 townships of Assiniboia heard from in 1886 there were 71,941 acres[1] under cultivation. In 1887 reports were had from 168 townships showing a cultivated area of 76,284 acres.[2]

The comparatively slow growth of population was in no small measure due to the failure to prosecute the building of branch lines of railway. This was absolutely necessary not only to develop the resources of the country, but also to induce immigration and to retain settlers, many of whom were from fifty to three hundred miles from a railroad.

By 1887 the three largest settlements within the territories were Regina, Calgary, and Qu'Appelle, all in the south. In the north, Edmonton and Prince Albert were steadily advancing in population. The growth of Calgary was typical of many communities in the territories. When George Murdock, a harness-maker, arrived there on May 13, 1883, the only buildings to be seen were the police barracks and a couple of shacks. Murdock took part in the early activities of Calgary, was its first mayor, and one of the founders of several social institutions. A diary which he kept at the time constitutes a valuable record of the growth of this important city. The following items exhibit the process of community-making :

1883

May 18. I put my name in the window and it is the first sign in Calgary.
July 31. Gave subscription and Ad. to first paper in the place.
Aug. 11. The train crossed the Bow.
Aug. 16. Temporary station arrived.
Aug. 20. Newspaper tent put up near railroad.
Aug. 31. First number of Calgary *Herald* issued.
Sept. 28. Bannerman the postmaster received his first mail by train.

[1] 32,714 acres in wheat ; 26,021 in oats ; 8933 in barley ; 4273 in roots.

[2] 33,354 acres in wheat at 23 bushels per acre ; 29,416 in oats at 39 bushels per acre ; 8244 in barley at 32 bushels per acre ; 5270 in roots.

THE FIRST THROUGH PASSENGER TRAIN FROM MONTREAL
ARRIVING AT CALGARY, 1886

1884

Jan. 7. Attended first public meeting in Calgary at Methodist Church.

May 27. Made out Bill for meeting on Friday night to decide upon a representative in the North-West Council.

Aug. 22. Attended first meeting of Calgary Agricultural Society.

Nov. 10. News of incorporation came.

1885

Mar. 28. News from Prince Albert of ten killed and twelve wounded. Attended mass meeting and organized home guards and telegraphed for arms.

Apr. 12. The 65 Regiment arrived from Montreal to-day and camped here.

Apr. 14. Swore in first board of school trustees.

May 16. News came of Rile's [Riel's] capture.

Aug. 25. Organized Fire corps.

Nov. 9. Public meeting at Boynton Hall. Very large and enthusiastic against the Police and Judge Travis.

1886

Jan. 29. Evening public meeting the largest ever held here. Travis, Reilly & Co. got the d——l. Passed vote of thanks for release of Lailey (released Jan. 27 with procession and band).

Feb. 27. A despatch came from Ottawa stating Travis transferred.

The items respecting Travis receive some illumination from an observation in the preface to the diary—'Judge Travis as the magistrate of the Mounted Police was exercising a kind of martial law with such vigor that it looked as if the entire community of Calgary would presently be in jail.'

The high hopes entertained in the early eighties regarding the country of the Saskatchewan had not been realized owing to the abandonment by the Canadian Pacific Railway of the northern for the southern route. Nevertheless the settlement had increased in size and the settlers in number and wealth. In 1889 the Edmonton *Bulletin* was as confident that 'we are on the eve of the actual development of the

great Saskatchewan valley by railway, as we so confidently fancied in 1880.'

The population of the town of Edmonton in 1890 was little over five hundred. It contained the Hudson's Bay Company's establishment, which was the supply depot of the company for the outlying posts in the Edmonton district, and the forwarding depot for the Peace, Athabaska, and Mackenzie River districts of the north, which included the whole Mackenzie basin to the Arctic Ocean and part of the Yukon. It possessed six mercantile establishments whose stocks contained 'everything from sides of bacon to ostrich plumes'; hardware, drug, jewellery, stationery, furniture, and millinery stores; newspaper office; shoe, harness, tailoring shops; four blacksmith, two carpenter, and two butcher shops; a bakery; boat-building and carriage-repairing establishment; photograph gallery; four churches; two schools; four hotels; Dominion Lands agency, registry office, crown timber office; telegraph office, post office with money order facilities, police station, an extensive telephone service; a large grist-mill, a saw-mill with all kinds of wood-dressing machinery, and a brickyard. Edmonton was the head of steamboat navigation on the river. The Supreme Court sat there twice a year.

At Fort Saskatchewan were the headquarters of the mounted police division, two general stores, post office, telegraph office, hotel, blacksmith and carpenter shops, and bakery. The Saskatchewan was crossed at both Edmonton and Fort Saskatchewan by means of large ferry screws. At St Albert were two general stores, blacksmith and carpenter shops, post office, and telephone connecting with Edmonton. There were also two hotels, the cathedral church of St Albert, the residence of the bishop, and a convent of sisters of charity who conducted a hospital and an orphanage. The fur trade of the vast northern region gave the farmers of the Edmonton district a better local market than any other settlements along the Saskatchewan. This trade provided employment for three steamers, the *Athabaska*, *Grahame*, and *Wrigley*, on the Mackenzie River, and an immense amount of freighting from the railway at Calgary.

Although the situation of Prince Albert precluded it from a full share in that development of the territories for which the transportation facilities afforded by the Canadian Pacific Railway were responsible, yet even here the Board of Trade reports indicate considerable progress. In 1882 the project of a railway had increased the production of wheat three hundredfold in a single year. The farmer's hopes of transportation facilities were not, however, so soon to be realized. The introduction of Red Fife wheat in 1885 definitely proved that wheat could be profitably grown if only a market could be secured ; but the absence of a market diverted the farmer's attention to the raising of stock. Even with the small local demand agriculture and stock-raising were not unprofitable occupations in 1890. At this time the town of Prince Albert possessed two excellent schoolhouses, Emmanuel College, founded in 1879 by the Bishop of Saskatchewan for the education of missionaries and teachers, a high school in connection with the Presbyterian mission, two large flour-mills, three saw-mills, sash and door factories, a court-house and gaol, the Royal North-West Mounted Police barracks, two newspaper offices, several hotels, a bank, and several churches. Among its residents were numbered three doctors, five lawyers, a judge, a sheriff, the Dominion Lands agent, the crown timber agent, homestead inspector, brewers, bakers, auctioneers, druggists, brickmakers, butchers, and some ten or twelve general merchants. The town possessed telegraphic communication, a telephone system, and a line of steamers.

In the same year Saskatoon boasted a first-class public school and ' two others within 20 miles.' No church was yet in existence, ' but divine service is held in the schoolhouse twice every Sunday.' Supplies for the settlement were freighted up from the railway at Moose Jaw.

Immigration Policies, 1889-1905

During the period of little more than a decade in which the government of the territories was vested in the North-West council, the average rate of increase in the population had been about two per cent yearly. This meant an annual

increase in numbers of about a thousand persons. For the period 1888-97 the annual rate was about five times as great. The Dominion census of 1891 gave the territories a population of 66,799 ; the census taken by the North-West Mounted Police in 1894, a population of 86,851 ; the estimate of the legislative assembly for 1897 was 112,906, an annual increase in population of about ten per cent.

This result had been achieved in spite of a hampered immigration policy. The legislative assembly showed itself keenly alive to the advantages that could be derived from aggressive work in advertising the resources of the country. It secured free passes from the Canadian Pacific Railway for those engaged as immigration agents ; it encouraged local subscriptions and grants from agricultural societies, and allowed each member to devote $100 of the amount allotted to his district towards defraying the expense of sending delegates to the East to induce immigration. It engaged the services of Charles Mair, N. F. Davin, and Edward Fitzgerald to write immigration pamphlets descriptive of the North-West Territories. Arrangements were made with the *Western World* for the monthly insertion of reading and illustrated matter relating to the territories and for the distribution of copies of the paper among the public reading-rooms of Great Britain and Eastern Canada. Advantage was taken of the opportunity afforded in 1893 by the World's Columbian Exposition at Chicago to display the resources of the territories in timber, cereals, minerals, grasses, fruit, and vegetables. Temporary agencies were established in Toronto, Montreal, and other eastern cities.

Ample educational facilities were now being provided in the territories. The assembly believed that if the knowledge of the fact was only widely disseminated many could be induced to come. It was this conviction that rendered all the more exasperating the indifference with which the Dominion government prosecuted its immigration policy.

At the very first session of the legislative assembly the members had expressed their desire to have $5000 voted from the General Revenue Fund of the territories, and an effort made to secure $10,000 from the Dominion govern-

ment to cover the cost of two permanent officials in Great Britain and four temporary agents in Montreal, Quebec, Toronto, and Chicago. It was found exceedingly difficult to secure aid from Ottawa, and the immigration for 1889 was not as large as had been hoped. In 1890 the assembly complained of ' the yearly appeals we have made to the Dominion Government for assistance in the work of populating the many million acres of Dominion land in this country and the cold response with which they have been met.'

Possibly no part of the territories suffered more than Alberta, although the provisional district of Saskatchewan clamoured loudly for railway communication. It was felt that the natural resources of Alberta were not sufficiently known to the outside world. Not only was little attention given to the development of its mineral wealth, but the existence of a large number of grazing leases proved an obstacle to settlement and created a false impression as to the fitness of the country for agriculture. Great dissatisfaction was caused by the public utterances of the principal quarantine officer of the Dominion, who, it was claimed, was largely interested in the continuance of the existing system. A special committee appointed to consider the needs of Alberta reported :

> Hereafter the settlement of the country should be the first consideration of the Government, and any system or policy of the past which is an obstacle to settlement should be done away with or reversed as rapidly as a fair regard for vested rights and interests will allow.

There was no doubt that the Dominion government only could provide the funds necessary for an active immigration propaganda, whereas both governments, Dominion and territorial, felt competent to control the expenditure of any grant that might be made. There is little question that the raising of this dispute hindered the cause of immigration. Under date of August 7, 1890, the minister of Agriculture reported to the Dominion government that ' it would be of doubtful expediency to ask Parliament to vote grants in aid of the Provinces or Territories to be expended

by the local Government for the purposes of promoting immigration.'

On January 22, 1892, the Standing Committee on Immigration insisted upon the pressing necessity of a more active immigration policy on the part of the Dominion government. In suggesting an annual parliamentary grant of $100,000 it claimed that the control of this expenditure should be vested not in parliament but in the assembly. In 1888 the efforts made to secure privileges to induce Mormons to immigrate to the territories called forth a memorial to the Dominion government that no privileges should be granted to any sect that were not accorded to individual settlers. Again in 1890 a counter-petition with ninety-four signatures was presented to the lieutenant-governor against the petition of Card, Woolf, Harker, Hansen, and Allen for their incorporation as the Cardston Company Limited. These applications raised the fundamental question of the extent to which the government should assist ' colony ' settlement, a point that assumed great importance in ensuing years.

The immigrants of the period 1888-97 constituted a desirable class. Most of the new settlers were well suited to promote the practical development of the resources of the territories. As more than three-fourths of the population had been born in Canada, Great Britain, or the United States, the problem of assimilating the newcomers presented no insurmountable obstacles.

During the years 1897-1905 the North-West Territories developed at a phenomenal rate. The energetic policy of the immigration branch of the department of the Interior led to a remarkable growth of population. The increased population brought about the opening of new settlements, the extension of agricultural operations, and the rise of fresh problems of administration.

For this remarkable development the Hon. Clifford Sifton was responsible. A native of Middlesex, Ontario, and a graduate of Victoria University, Cobourg, he was a lawyer by profession. As a member of the Manitoba government, he conducted the negotiations with the Dominion government in reference to the Manitoba ' school question,' and

on the occasion of the overthrow of the Tupper administration in 1896 was rewarded for his services in this connection. On November 17, 1896, he became minister of the Interior in the Laurier government. His intimate acquaintance with, and his faith in the future of, the North-West led him to make its development the chief policy of his department.

His immigration propaganda in the United States, Great Britain, and Europe was most vigorous. Agencies were established at important centres. Transportation was arranged for delegates to visit Western Canada. Advertisements were inserted in British country newspapers and metropolitan journals. Agricultural displays were made at rural exhibitions and shows. Publications were issued not in the English language alone, but also in French, German, Dutch, Norwegian, and Swedish. Geographies, atlases, folders, school maps, comparative area maps, cartoon books, souvenir books, newspapers, postcards, reports of delegates, information for intending settlers, and other immigration literature descriptive of wheat-growing, of harvest time in Canada, and of the West were widely distributed. In one year alone 2,703,646 pamphlets were sent out.[1] To supplement this work addresses and lectures were delivered by practical farmers and others possessed of an intimate acquaintance with agricultural conditions in Canada.

The effect of this active advertising campaign was immediate. In 1899, for instance, Canada received only about 11 per cent of all British emigrants;[2] in 1904 it secured not less than 32 per cent. Of the total immigration to North America in 1899, Canada secured 17·75 per cent: this was increased to 48 per cent in 1903.

Some conception of the success of Sifton's immigration

[1] Not only were more active efforts put forth to attract immigration; greater attention was also paid to the care of the newcomers on their arrival. In the territories the Dominion government maintained for their accommodation immigration halls at Saskatoon, Lethbridge, Moose Jaw, Yorkton, Qu'Appelle, Regina, Rosthern, Prince Albert, Calgary, Strathcona, Craik, Davidson, Duck Lake, and Lloydminster. In addition the government rented buildings or furnished tent accommodation at Macleod, Saltcoats, Edmonton, Olds, Battleford, Leduc, and more than seventy-five other centres.

[2] *Report of Immigration*, 1904, pt. ii. p. 16.

policy in settling the territories can be gained from the single circumstance that during the five years preceding the erection of the two Provinces of Saskatchewan and Alberta the total number of homestead entries for Dominion lands in Canada was 111,115, an average of 22,223 for each year, whereas during the previous twenty-six years the total number was only 88,863, a yearly average of 3418. The great majority of the homestead entries made within the Dominion were located within the North-West Territories.

Growth of Settlements, 1897-1905

The growth of population during the period of 1897-1905 was enormous.[1] Its economic significance, however, consisted, as we shall see, not so much in the mere addition to the number of people within the territories as in the circumstance that the newcomers were fairly evenly distributed over the vast area of the territories. During 1897 a few hundred settlers of a very desirable class located in the Macleod district. A large number of Galicians also entered the territories, some to work on the Crowsnest Pass branch of the Canadian Pacific railroad, others to settle east of Fort Saskatchewan. Next year some five hundred Mormons settled in South-West Alberta; Americans and repatriated Canadians took up homesteads in various parts of the territories; a great number of Galicians located about Egg Lake near Fort Saskatchewan, while another colony of about forty families was placed at Fish Creek near Rosthern, on the east side of the South Saskatchewan, and still another south of Yorkton. The total number of local improvement districts in the territories on April 4, 1899, was four hundred and fifty. Until about 1900 settlement was confined to a belt varying from fifteen to twenty miles wide along the main line of the

[1] No census was taken of the population of the North-West Territories in 1871. The following indicates subsequent development:

1881— 56,446
1891— 66,799
1897—112,906
1901—158,940
1906—443,175.

TYPES OF IMMIGRANTS ARRIVING IN CANADA

(1) GALICIANS
(2) RUSSIAN JEWS
(3) DUTCH
(4) DUTCH WIFE AND CHILD OF PRECEDING
(5) A SCOTTISH MOTHER AND CHILDREN

Canadian Pacific Railway from the western boundary of Manitoba to Moose Jaw, a similar belt along the northwestern branch to Yorkton, a well-settled tract of territory from the Assiniboine to Dongola, Cut Arm Creek, Pheasant Hills, and Balcarres. There were also foreign colonies north of Whitewood and Grenfell, and an irregular settlement from Gainsborough to Alameda and from Alameda north to Moose Mountain. In the north a scattered settlement stretched from Saskatoon to Prince Albert, chiefly between the north and south branches of the Saskatchewan River.

In Alberta the population was evenly distributed among the electoral districts: Alberta, which embraced the Crowsnest line; Calgary, which included the main line of the Canadian Pacific Railway; Edmonton and the north; and Strathcona and the district along the railroad north of Red Deer.

It was not the policy of the government to encourage immigrants of the same nationality to establish large separate colonies. Small groups, however, inevitably did form. Their existence rendered imperative a vigorous and comprehensive educational policy on the part of the territorial government. In the work of transforming the newcomers into Canadians it is difficult to overestimate the contribution made by the Royal North-West Mounted Police, who did much to impress the settlers with the fair, just, and certain enforcement of the laws.

Settlements of foreigners sprang up in all parts of the North-West. From Austria came Ruthenians, Poles, and Bohemians. As early as 1892 a small colony of 125 Hungarians had located at Otthon, Assiniboia. In this period another Hungarian settlement was made at Crooked Lakes. In 1902 Zoltan Von Rajces of Rosthern founded still another at Matthewsfield (Matyas Fold) in Saskatchewan. Within two years these settlers, who on their arrival were very poor, had 2561 acres under cultivation, and possessed 716 head of cattle and oxen, 96 horses, 757 hogs, sheep, and poultry, and the necessary agricultural implements. An Icelandic settlement established itself between Foam Lake and Fishing Lake in Assiniboia. In the vicinity of Prince Albert, Glen Mary

was the centre of a Scandinavian settlement; the Hoodoo Plains, of American-German Catholics; and Shellbrook, of British immigrants. By 1904 the Galician colony at Rosthern had increased to five thousand souls. Other Galicians settled in the Yorkton district, at Shoal Lake and Strathclair, and in the Riding Mountain district. In the Yorkton district were large numbers of Doukhobors, in all forty-seven villages. In 1904 they had graded ten miles of good road in their district, had 20,000 acres under crop, owned several saw-mills and grist-mills, 370 horses, 4 portable engines and 2 traction engines, 6 separators, 50 binders, 32 mowers, 45 disk harrows, 20 seeders, 16 wagons, 109 ploughs, 234 harrows, 12 fanning-mills, and 152 sleighs. Peter Veregin, their recognized leader, stated that the men of the villages in one year brought in over $150,000 as wages for work on railway construction to meet the total expenditure of the colony, which was $215,544.

South of Grenfell about a hundred families of German Americans from Dakota, Minnesota, Wisconsin, Iowa, and Illinois established themselves as the Stoetzel colony. Near Estevan were located many of Scandinavian and German extraction. A number of Scandinavians who, though coming from the United States, were born in Norway and Sweden settled near Milestone. During the year 1903-4, 15,722 settlers came into Canada over the 'Soo' line, bringing with them 2563 cars of settlers' effects and stock. Owing to wash-outs on the railroads during five weeks of the busiest portion of the immigration season, this record was considerably lower than that of the previous year. The districts along this line of railway manifested a rapid development, faithfully reflected in the construction of elevators and grist-mills—two elevators at North Portal, one at Estevan, one at Halbrite, two at McTaggart, two at Yellow Grass, two at Milestone, one at Rouleau; and grist-mills at Estevan and Weyburn.

An excellent illustration of rapid settlement is furnished by the operations of the Saskatchewan Valley Land Company. When the government entered into an agreement with this company in May 1902, no settlement existed between Lumsden and Saskatoon. Within thirty days, at a cost of

$16,000, the company ran a special train from Chicago to Prince Albert. On this train there were a hundred and seventy bankers, business men, and grain merchants and thirty newspaper men. The country received as a consequence extensive advertisement. The company also maintained livery horses and wagons at Davidson and Hanley, built hotels and boarding-houses, and supplied free board, free livery, sleeping accommodation, and blankets and food for journeys. Before the end of the following year there had come into existence the villages of Craik, Davidson, and Hanley, each with a population of over two hundred souls; an elevator had been built at Disley and improvements had been made at other centres, and ten thousand acres of land had been brought under cultivation. In 1904 the sub-agent of Dominion Lands at Davidson reported as follows:

> The town of Davidson, which at the time of the previous report was practically not in existence, has progressed with the development of the surrounding country, and now boasts two general stores, two hardware stores, two large hotels, livery stable, blacksmith and machine shop, four implement warehouses, Dominion Lands office, sash and door factory, shops and offices, including a newspaper called the Davidson *Leader*. At this point it was necessary to erect an Immigration building in order to accommodate the large number of settlers going east and west from here.

A total of 1642 homestead entries was effected through the efforts of this colonization company. In the Hoodoo district, also, it established the German-Catholic Society, which made two thousand homestead entries and settled six hundred families on land within fifteen months. It located, besides, a large Mennonite colony at Quill Lakes. Land which in 1902 was considered valueless met with a ready sale at five dollars per acre in 1903. The route of the Qu'Appelle, Long Lake, and Saskatchewan Valley Railway became one continuous settlement.

Alberta witnessed a similar development. In the south the Stirling and Magrath settlements were composed almost entirely of Mormons; the Spring Coulee colony, of settlers

from Nebraska, Illinois, and Iowa; and the Taber district, of Americans whose wealth and experience of similar conditions made them desirable settlers. The immigration agent at Lethbridge reported the total number of arrivals through Coutts, the port of entry from Great Falls, Montana, as being 3187 during the one fiscal year 1903-4. Of these Southern Alberta received 2313; Northern Alberta, 594; Assiniboia, 145; Saskatchewan, 67. Many newcomers settled in the Grassy Lake district when the homesteads within a large radius of Lethbridge were taken up. In the one year 1903-4, 15,000 immigrants were distributed from Calgary. East of Red Deer was formed a considerable Swiss colony; and still farther east, a settlement of farmers from France. Near Snake Lake was established a large group of Finlanders from the United States. Settlers located also along the route of the Canadian Northern Railway in the north. Immigration operated to modify the character of Alberta. Agriculture, reinforced in many districts by irrigation, tended to transform a grazing into an agricultural country.

Possibly no enterprise to promote immigration to the North-West ever attracted greater attention throughout the Dominion than the British colony for the Saskatchewan valley. In the pamphlets that he issued, the Rev. I. M. Barr,[1] formerly a curate at St Saviour's Church, Hanley Road, Tollington Park, London, N., designated himself as founder and proprietor. He claimed to have had experience of Western Canada as early as 1874, and it is alleged that he was concerned with a doubtful colonization scheme in the vicinity of Yorkton. The unsatisfactory labour conditions in England after the Boer War directed attention to the colonies. In many letters to the British press the Rev. G. E. Lloyd, of the Colonial and Continental Church Society, awakened a lively interest in North-Western Canada. This interest Barr sought to exploit in a colonization enterprise. Visiting Canada in the autumn of 1902, he interviewed the deputy minister of the Interior, the commissioner of Immigration for the North-West, the third vice-president of the

[1] See ' Immigration and Population,' section iv. p. 549 *et seq.*

Canadian Northern Railway, and other prominent Canadians, and succeeded in securing the reservation of certain townships along the projected line of the Canadian Northern Railway. On his return to England glowing accounts of the West and of his colonizing undertaking were issued 'under the sanction of the Canadian government.' Prospects of work were held out and assurances given that the Canadian Northern Railway would 'traverse our settlement and be ready to haul out the harvest of 1903.' A scheme of hospital insurance was outlined. In a pamphlet issued at Christmas 1902 he stated :

> At Saskatoon there will be provided horses, waggons, harness and provisions for the journey, also coverings for the waggons, camp stools and other necessary things. Here the party will use their tents for a few days while getting outfitted for trekking to the settlement. . . . I have arranged to have covered light waggons to come from Battleford to Saskatoon on our arrival to convey the women and children rapidly through to Battleford, where they will be housed and cared for until the men of the party shall reach the settlement, when they may be brought forward. . . . It is not as a clergyman, although I happen to be one, that I am promoting emigration to my native land, but simply as a man who wishes to see Canada remain British.

It had been well for Barr, and many members of the colonizing expedition, had another clause in his manifesto been followed to the letter : 'Every man will handle his own money.'

Barr's suggestions were wise : 'Families should possess £100 as a rule, especially when there are several children ; this over and above the travelling expenses. Young unmarried men may venture with but little over travelling expenses, as there will be plenty of work in the country at good wages.' 'It is my intention,' he wrote, 'to introduce a few experienced Canadian and American farmers into the settlement, whose farms may prove object lessons to the less experienced of our British settlers. I am already in touch with a number who wish to join our ranks. This

part of the scheme has met with much favour from the deputy minister of the Interior to whom I submitted it. These farmers, however, will be of British descent.' In this connection must be mentioned the selection by the Dominion government of Dale of South Qu'Appelle as farm instructor for the colony. Barr also organized for his colony the British Canadian Settlement Stores Syndicate, shares in which he sold at £1.

He concluded his pamphlet with a challenging appeal :

> I do not desire to present a picture that is highly rose-coloured. There are many difficulties and drawbacks to be encountered, but for the brave man obstacles are something to be overcome, stepping-stones to victory and success. Britons have always been the great colonizers. Let it not be said that we are the degenerate sons of brave and masterful sires.
>
> Let me say in brief that you cannot pick up nuggets of gold on the surface of the soil—you must dig for the wealth of the land. Hard work, and plenty of it, lies before you ; more or less of hardship, and not seldom privations. You must sometimes sweat, and sometimes you may suffer from the cold. You shall not always find everything to your hand. Many of the comforts of England you must leave behind. Some years the crop may not be a perfect success, may even prove a failure. It may even be that hail may sometimes strike your crop and destroy part of it. Sickness may come to you there as here, and also losses. Don't expect to be rich in a day. It is not possible anywhere except for a few fortunate ones. If you are afraid, stay at home—don't come to Canada. It is a land of brave and conquering men. But if you are honest and brave, and intend to work hard, if you purpose to lead the temperate and strenuous life, then come and cast in your lot with us, and we will stand together and win.

On March 31, 1903, nearly 2300 colonists boarded the steamer *Manitoba* in a scramble. The tonnage and capacity of the steamer would have been inadequate had the number of passengers that sailed been only half of what it actually was. Londoners constituted the greatest proportion, but nearly

every county in England was represented, and about a hundred Irish and a hundred Scottish emigrants were on board.

On their arrival in Canada the colonists immediately proceeded by rail to Saskatoon. There they encamped for a few days to wait for baggage and to secure their outfits. Prices soared to enormous heights. Rich harvests at enhanced prices were reaped by the merchants of Saskatoon. Barr, who had come into much disfavour on the voyage through his failure to provide lectures on Canada, began to show signs of incompetence and knavery. Many of the party, however, afraid to encounter the possible losses and unknown dangers of a prairie journey of two hundred miles, entrusted their money to his keeping and failed to secure from him any acknowledgment or a receipt for their deposit. Barr, who had himself purchased supplies in large quantities, conspired to increase the prices of such necessaries as oats. The diary of a highly respected Irish resident of Lloydminster has the following item under date of May 14, 1903:

> Mr Barr is a 'nasty' man. Can we live at his prices? oats $5 a sack; flour $7 a sack; potatoes $7 a sack; sugar 15 cts a lb.; butter 45 cts a lb.

It does not come within the province of this narrative to recount the experiences of the party as it trekked two hundred miles across the prairie, or to describe the first days of the settlement, the gathering storm of indignation, the famous 'democrat' departure of Barr to Battleford by night, the hurried calling of a meeting of the colonists, the wagon journey of representatives armed with powers of attorney to prevent the withdrawal of deposits in Battleford banks, the success of their mission, and the escape of Barr. The diary quoted above contains the following memorandum:

> Messrs Lloyd, Still and Jones arrive in special buggy from Battleford at 10 o'clock with great news about the colony and Mr Barr who is said to be gone home.

No words perhaps could describe the flight of the reverend gentleman with finer sarcasm than those quoted—'said to be gone home.'

At the written request of the colonists themselves the Rev. G. E. Lloyd came to the assistance of the colony. A well-earned tribute to his unselfish endeavours on its behalf was paid in the name of the town—Lloydminster. After a period of privation, pioneering, and adaptation, with the entry of the Canadian Northern Railway came communication with the outer world and a fair measure of prosperity.

The defects in the 'All-British' colony are patent—it was 'All-British.' A proper admixture of other settlers acquainted with territorial conditions, above all with the problems of North-Western agriculture, had been promised by Barr. The complete demoralization of arrangements left the settlement suddenly to cope with problems that had never been anticipated. Many had depended too implicitly upon the originator of the colony, and his departure left them without resources. Individual initiative was sadly lacking. The colony manifested a perfect mania for calling meetings to discuss questions which each individual should have settled for himself. Too much trust was put in the principle of co-operation and in the debating of problems for the solution of which all were equally inexperienced and without resource.

'Nothing,' said Dr Amos, 'came of Mr Barr's medical scheme. Members presented their subscription cards, but the hospital and nurses proved as theoretical as my salary. Of course we all helped one another, and monetary considerations scarcely existed. My work was constant and pretty monotonous—every day I was stitching up axe wounds! You see in those days the men were strangers to that most useful tool.'

Of the Barr colonists about two hundred and fifty families remained in the vicinity of the 4th meridian, in the neighbourhood of Lloydminster; about one hundred and fifteen families were established in Jack Fish Lake country, some at Bresaylor, others at Eagle Hills, and others at different points along the Canadian Northern Railway. The department of the Interior threw open the balance of the land in the settlement for entry by others who did not belong to the colony, and this wise policy operated for the welfare of the community,

IMMIGRANTS ARRIVING IN CANADA

(1) JUVENILE IMMIGRANTS
(2) A GERMAN FAMILY
(3) JUVENILE IMMIGRANTS
(4) NATIVES OF POLAND

for many of these later arrivals possessed more experience of Canadian conditions, and their coming was of distinct benefit to those who had located earlier.

The 'All-British' colony made a real contribution to the Canadian West. The notoriety which the Barr colony and its affairs gained in England did more perhaps than the whole output of immigration literature distributed prior to 1903 to attract British attention to the North-West Territories. To its association with the Barr colonists Saskatoon owes the first impulse that enabled it to reap the full advantage of its splendid geographical position in central Saskatchewan and to become a leading city of the province. For Canada the most valuable contribution was the development of the country along the Canadian Northern Railway from Bresaylor to Vermilion. For the colonists themselves, for those at least who persevered, it meant the foundation of homes on land that was their own.

The difficulties and hardships of pioneering were often largely due to a lack of means of communication and of facilities for transportation. With the coming of the railroad came prosperity.[1] When the first locomotive came within sight of Lloydminster the Barr colonists 'sang and wept for joy.' Their experience was typical of many colonists and settlements throughout the territories.[2]

The development of the territories did not signify a growth of settlements alone. We have already indicated how educational facilities and judicial machinery were devised. It was of prime importance that the aspirations after organization on the part of the settlers should be satisfied if ever the people of the territories were to participate in the national life of the Dominion. In our sketch of the political history of the territories, we shall study the resolute struggle for a complete measure of responsible government. Of no less vital concern to the people was the development of a municipal system, which served as a school of experience in self-rule for participation in the larger struggle.

[1] It must not be forgotten that in some cases changed conditions in transportation meant financial ruin.

[2] The people of Saskatoon celebrated the arrival of the first locomotive at their village on May 15, 1890, by a torchlight procession and a general jollification.

Growth of Municipalities and Towns

The North-West Territories Act, 1875, granted the privilege of municipal incorporation only to those settlements that formed part of electoral districts. The requirement for the erection of an electoral district was a population of a thousand inhabitants of adult age within an area of a thousand square miles. In 1880 a proclamation for the erection of three districts in the neighbourhood of Prince Albert, Qu'Appelle, and Regina was issued. The centres of settlement were Prince Albert, Battleford, and Edmonton in the north, and along the Canadian Pacific Railway in the south.

The erection of electoral districts created a desire for municipal incorporation. In 1883 the North-West council passed a municipal ordinance granting ample facilities for incorporation to communities possessing sufficient population to become towns. The ordinances of 1883 and 1884 constituted an attempt to model western communities according to the eastern pattern. Municipalities, rural and other, were established with assessment based on valuation and councillors elected either from the municipality at large or by the ward system. Under these ordinances Regina, Moose Jaw, Medicine Hat, and Edmonton became towns. Provision was made to establish the following as rural municipalities: Fort Qu'Appelle, Wolseley, Indian Head, South Qu'Appelle, Grenfell, Moosomin, Broadview, Wascana, Belle Plaine, and Pheasant Plains. Only the first four actually came into existence according to this municipal scheme. The ordinance, though amended, has never been rescinded. In 1896 legislation was secured to deorganize Fort Qu'Appelle and Wolseley. Indian Head and South Qu'Appelle are still governed by the ordinance of 1884.

From 1883 there was always a standing committee on municipal matters. Upon this committee devolved the responsibility of bestowing or refusing the privilege of municipal incorporation. In 1897 the legislature passed a statute labour ordinance, and in 1898 a local improvement ordinance. Units of one township were established. An overseer was

elected by popular vote to superintend the filling of sloughs and road improvement. A new bill in 1903 deorganized all township local improvement districts and abolished the provision for statute labour. Districts with an average area of four townships were established. Each township division elected a councillor annually, the four councillors constituting a council for the whole district.

When Saskatchewan was erected into a province on September 1, 1905, it contained three cities and sixteen towns.[1] The cities were Regina and Moose Jaw (incorporated 1903) and Prince Albert (1904).

Apart from the towns already mentioned, there were forty villages in Saskatchewan on September 1, 1905. Of these three had been established in 1894—Gainsboro, Grenfell, and Saltcoats; two in 1898—Duck Lake and Fort Qu'Appelle; seven in 1903; fourteen in 1904; and fourteen in 1905. Of those established in 1903, all but Hague, which was situated between the two branches of the Saskatchewan River, were east of Moose Jaw and south of Saltcoats—Carievale, Churchbridge, Esterhazy, Langenburg, Macoun, and North Portal. In 1904 Osler was established near Hague: the other thirteen villages were all east of Moose Jaw and south of Saltcoats—Abernethy, Balcarres, Drinkwater, Forget, Frobisher, Glen Ewen, Halbrite, Heward, Pense, Redvers, Rocanville, Stoughton, and Tantallon.

The extension of railways after 1904 tended to attract settlers to new districts lying to the north and west. But of the fourteen villages established in 1905 eight were in this same south-eastern section of the province—Antler, Craven, Dubuc, Fillmore, Lipton, Neudorf, Stockholm, and Tyvan. Of the others, Kamsack and Canora were on the main line, Kinistino and Tisdale on the Winnipeg-Prince Albert line of the Canadian Northern Railway; Sheho was on the Yorkton branch of the Canadian Pacific Railway; Dundurn was on the Saskatoon-Regina line operated at the

[1] Towns established prior to September 1, 1905: Moosomin (1889), Whitewood (1892), Wolseley (1898), Yorkton (1900), Indian Head (1902), Maple Creek (1903), Wapella (1903), Arcola (1903), Weyburn (1903), Saskatoon (1903), Rosthern (1903), Qu'Appelle (1904), Oxbow (1904), Battleford (1904), Carnduff (1905), Lumsden (1905).

time by the Canadian Pacific Railway. On September 1, 1905, the number of small local improvement districts was one hundred and ninety.

In that section of the territories which became the Province of Alberta there were five cities in existence on September 1, 1905—Calgary, Edmonton, Lethbridge, Strathcona, and Wetaskiwin. Of the towns, all but two, St Albert and Fort Saskatchewan, were on lines of the Canadian Pacific Railway—Macleod, Cardston, Raymond, Medicine Hat, Claresholm, Okotoks, Olds, Innisfail, Red Deer, Lacombe, and Ponoka.

The following table indicates up to 1905 the situation and date of incorporation of the villages of that section of the territories which became the Province of Alberta :

VILLAGES OF ALBERTA

Year	Canadian Pacific Railway					Elsewhere
	Main Line	Crowsnest and south	Calgary-Edmonton	Calgary-Macleod	East of Wetaskiwin	
1899	Gleichen	...	...	...	...	...
1901	...	Blairmore Frank Stirling	...	...	...	Morinville
1902	...	...	...	...	...	Mountain View
1903	Cochrane Irvine	...	Carstairs Millet	Staveley	...	...
1904	...	Coleman Lille	Blackfalds Bowden Penhold	Cayley Granum	Rosenroll	...

Prior to December 31, 1904, the number of small local improvement districts in what is now the Province of Alberta was 72. Of these twenty-three were south and forty-nine north of Red Deer. In 1905 eleven were established south and twenty north of Red Deer.

II

POLITICAL HISTORY

General Survey

IN accordance with provisions made by the two acts of the previous session of the Dominion parliament, the provinces of Saskatchewan and Alberta came into existence on the first day of September 1905. In the erection of these provinces two hopes met and were realized. Constituting that part of the Dominion lying between the Provinces of Manitoba and British Columbia, and south of the 60th parallel of north latitude, the new provinces fulfilled the hope that the Fathers of Confederation had cherished forty years before. The chain of provinces from the Atlantic to the Pacific was now complete. But more important still, the wishes of the people of the territories were thereby carried into effect, and the process of evolution towards thoroughly representative and responsible government with provincial competence was consummated.

In about one-third of a century the North-West Territories completed the whole process of development from personal rule to responsible government. From 1870 to 1876 the territories were governed by lieutenant-governors who were at the same time lieutenant-governors of Manitoba. They exercised an autocracy limited at first by directions from the secretary of state for the provinces, and, after 1873, from the minister of the Interior. A North-West council, for the most part residents of Manitoba, was appointed by the Dominion government to assist in the administration of the territories. In 1875 provision was made for a resident lieutenant-governor and for a council, nominative at first, to become, as soon as the settlement of the territories warranted, partly elective. This council of the North-West Territories, which held its initial session in 1877 and its final one in 1887, constituted a form of government similar to that of a crown colony. In 1881 the first elected member representing a district was admitted to the council ; and with the growth of population the increasing number of elected members rendered possible

the transition to a legislative assembly. At the same time the institution of a public school system and the establishment of municipalities were preparing the people of the territories to discharge the functions of local self-government; the crushing of the half-breed rising established the security of the country; and the construction of the Canadian Pacific Railway opened the way for the coming of new settlers.

On the institution of the legislative assembly in 1888, the lieutenant-governor, who had himself presided over the North-West council, gave place to a speaker chosen by the members of the assembly from among their own number. Judges of the Supreme Court of the North-West Territories were appointed legal experts of the legislative assembly, to assist in questions of law. These sat in the house and had a voice in its deliberations, but were debarred from voting. The lieutenant-governor chose four elected members to act as an advisory council on matters of finance. They held office during his pleasure.

With this greater measure of self-government in territorial matters came representation at Ottawa. In 1887 the territories were allowed two senators and four elected representatives in the Dominion parliament.

The exact nature of the functions of the advisory council became the subject of sharp debate in 1889 and 1890. The majority of the legislative assembly found themselves at variance with the lieutenant-governor, who was unwilling to accord the advisory council the right to tender advice in the expenditure of Dominion grants. The struggle on the part of the assembly to secure control in all financial matters developed into a struggle to make the advisory council responsible to the assembly. It ended in the replacement of the advisory council by an executive committee of four members chosen by the lieutenant-governor. A further step was taken when the executive committee was appointed on the floor of the house.

In 1891 the assembly was granted power to make ordinances in relation to the expenditure of territorial funds and such portions of the appropriations to the territories as the Dominion government authorized the lieutenant-governor to

spend with the concurrence of the legislative assembly on any of its committees. At first the Dominion government specified the amount for each purpose by an itemized vote, the money to be expended upon the service indicated under penalty of lapsing. In 1892, however, a lump sum for the expenses of government was granted by parliament and the assembly was given control over its disposition. A certain supervision persisted in the shape of a Dominion audit, but this check was removed in 1896, being replaced by a local audit of equal efficiency.

Throughout the whole period of the existence of the territories there were certain matters upon which the assembly did not possess the competence to legislate. The territories were not permitted to charter railways, to administer justice in criminal matters, or to borrow money upon their sole credit. All the assets of the territories were in the hands of the Dominion government, upon which the assembly was compelled to depend practically altogether for its revenue.

When the territories had already enjoyed the substance of responsible government for five years, they attained the form for the first time in 1897. In accordance with legislation of the previous session of the Dominion parliament, an executive council replaced the executive committee. This differed widely from the council of twenty years before, which had consisted of the whole body of the legislators, not one of whom had been elected. Not only was this executive council chosen from a legislative body made up wholly of elected members, but every one who accepted office in it was forced to seek endorsement from his constituents by standing for re-election.

But if the North-West Territories possessed a full measure of responsibility in government they still suffered from the disability of their territorial status, for complete self-government was a provincial right. The success of the Dominion immigration policy created problems for the executive council. Financial embarrassments led to constitutional aspirations. It was the function of the executive council to lead in the agitation for the provincial status.

The erection of the territories into provinces in 1905

enabled the new legislative and executive bodies to assume their own responsibilities, to incur their own liabilities, and to exercise powers similar to those possessed by other provinces.

This political evolution was accompanied by, or rather arose from, a process of social and economic transformation no less profound. The hunter and trader either disappeared or were pushed to the north, to make way for the rancher and the farmer. The Indian and the half-breed soon lost their dominance, and half indifferently, half contentedly, lived on or near the reserves. The white population, which at first possessed a homogeneous character, became more complex. Those who settled the Canadian Pacific Railway belt were chiefly from Eastern Canada, and not infrequently conservative in politics. But now a liberal government was bringing people from every corner of Europe. The newcomers, who were pushing to the north along projected lines of new railways, not seldom adopted the politics of the government under whose auspices they had been brought to Canada. The tent and the camp gave way to the comfortable frame farmhouse. Villages, towns, even cities sprang up along the railway, which in the system of transportation displaced the rivers and the prairie trails. With better facilities for transportation and larger acquaintance with the conditions of prairie farming, was ushered in that economic development of Western Canada that has reacted so mightily upon the economic welfare of the whole Dominion.

The Period of Personal Rule, 1868-76

The British North America Act made provision whereby, on address from the houses of parliament of Canada, Rupert's Land and the North-Western Territory might be admitted into the Union. In order to give effect to the petition of the parliament of Canada, the queen, under the authority of the Rupert's Land Act, 1868, accepted a surrender of all the lands, territories, rights, privileges, franchises, powers, and authorities, whatsoever granted or purported to be granted to the governor and company of Adventurers of

England trading into Hudson Bay. In 1869 were completed the arrangements by which, out of consideration for the payment of £300,000, certain land concessions and guarantees in the matter of taxation, the territory that King Charles II had granted the Hudson's Bay Company in 1670 passed into the hands of the newly constituted Dominion of Canada.

The first legislative enactment having regard to the North-West Territories that was passed by the parliament of Canada was entitled, 'An Act for the Temporary Government of Rupert's Land and the North-Western Territory when united with Canada,' and received assent on June 22, 1869. During the following session, after a period of disturbance and unrest, provision was made for the local government of a part of the territory taken over from the government of the Hudson's Bay Company. The Province of Manitoba was created on July 15, 1870, receiving forthwith an organized system of government with a lieutenant-governor, an executive council, a legislative council, and a legislative assembly.

The remainder of Rupert's Land and the North-Western Territory continued under the operation of the act of 1869.[1] The lieutenant-governor of Manitoba was *ex officio* responsible for the administration of the North-West Territories. In Manitoba he had an official relation to a local government that was in form representative and responsible; in the territories he exercised a personal rule under the direction of the Dominion government.

On May 20, 1870, Adams G. Archibald was appointed lieutenant-governor of the North-West Territories. His instructions, bearing date of August 4, 1870, indicate clearly the initial steps taken in the government of the North-West Territories:

> 1. You will with as little delay as possible open communication with the Indian bands occupying the country lying between Lake Superior and the Province of Manitoba, with a view to the establishment of such

[1] The acts of 1870 and 1871 re-enacted and modified the act of 1869.

friendly relations as may make the route from Thunder Bay to Fort Garry secure at all seasons of the year, and facilitate the settlement of such portions of the country as it may be practicable to improve.

2. You will also turn your attention promptly to the condition of the country outside the Province of Manitoba on the north and west, and while assuring the Indians of your desire to establish friendly relations with them, you will ascertain and report to His Excellency the course you may think most advisable to pursue, whether by treaty or otherwise, for the removal of any obstructions that might be presented to the flow of population into the fertile lands that lie between Manitoba and the Rocky Mountains.

3. You will have the goodness to report with all convenient speed, for the information of His Excellency, on the state of the laws now existing in the territories, transmitting copies of any laws, ordinances or regulations of the Hudson's Bay Company now in force, together with a full report as to the mode of administering justice, the organization of the courts, the number and mode of appointment of Justices of the Peace, the Police arrangements and the means adopted for keeping the peace.

4. You will have the goodness to report also upon the system of taxation (if any) now in force in the territories, the system of licensing shops, taverns, etc., the mode of regulating or prohibiting the sale of wines, spirituous and malt liquors, and further as to the mode of keeping up the roads, and generally on the municipal organization (if any) existing in the territories.

5. You will also make a full report upon the state of the Indian tribes now in the territories, their numbers, wants and claims, the system heretofore pursued by the Hudson's Bay Company in dealing with them—accompanied by any suggestions you may desire to offer with reference to their protection and to the improvement of their condition.

6. You will have the goodness to report also on the nature and amount of currency or circulating medium now employed in the territories, and of the probable

requirements of the territories in that respect in the future.

7. You will please to report as to such lands in the territories as it may be desirable to open up at once for settlement, transmitting such sketch or plan as may be necessary, with an estimate of the probable cost of survey, a statement of the conditions as to settlement or otherwise suggested for grants of land—such sketch or plan to show the number of townships it is proposed to lay out at once, their size and situation, and the size of the lots, making the necessary reservation for churches, schools, roads and other public purposes.

8. You will also report as to the number of officers now employed by the Hudson's Bay Company in the administration of government in the territories, stating the duties and salaries of such officers, and specifying those who should in your opinion be retained ; you will also report as to the number of persons it will be necessary hereafter to employ in the administration of the government, and you will report generally on all subjects connected with the welfare of the territories upon which it may seem to you desirable to communicate with the government of the Dominion.

With a view to carrying these instructions into effect, Lieutenant-Governor Archibald in October 1870 dispatched Lieutenant Butler to the Saskatchewan. He commissioned him to investigate the alleged necessity for troops at the company's forts to protect life and property. At the time smallpox was making fearful ravages in the territories. Lieutenant Butler took with him medicine and instructions for the benefit of those attacked by the disease, and investigated the circumstances connected with its rise and spread. The scope of his mission, however, was even wider. He reported upon the condition, number, and localities of the Indian tribes, and inquired into the state of the fur trade and the commerce of the Saskatchewan valley.

Apart from the general supervision of administration, the chief concern of the Dominion government in relation to the North-West Territories was the disposition of the crown

lands. By order-in-council of March 1, 1871, the control and management of these were confided to the secretary of state. In 1871 the Dominion Lands branch was organized under charge of Colonel John Stoughton Dennis, who, as surveyor-general, originated the system of surveys under which the land of the North-West was parcelled out. The issue of patents began in 1873. The total granted in that year was forty-six, covering an area of 12,553 acres.

On October 21, 1870, the lieutenant-governor appointed the Hon. Francis G. Johnson, Donald A. Smith, and Pascal Breland, representing respectively the English, the French, and the Hudson's Bay Company, to be members of the executive and legislative councils for Rupert's Land and the North-West Territory. On October 22 they were sworn into office and entered upon their legislative and executive duties. Stringent ordinances were passed with reference to smallpox and spirituous liquors. The lieutenant-governor at once sent to the secretary of state for the provinces a report of the measures he had taken. This official replied by asking under what authority he had made the appointments. He reminded the lieutenant-governor that the appointment of councillors lay with the governor-general in council. He further expressed his belief that his action had been taken after full consideration, and assured the lieutenant-governor that the government was willing to confirm the appointments when made in a regular way. As the minimum number of councillors was fixed at seven, the secretary of state for the provinces asked that a list of gentlemen, eligible for the position, should be transmitted to enable the government to select a council of seven.

The lieutenant-governor wrote:

> Unfortunately, although I had then been in the Province from the 3rd September, nearly eight weeks, my books and papers despatched from Ottawa on the 6th August had never reached this place, and in all Manitoba not a single copy of the Acts of 1869 was to be found.
>
> I had but a vague recollection of the terms of the Rupert's Land Act, but I assumed that substantially it

> would be the same as the Manitoba Act so far as my power of appointment was concerned. Judge Johnson, with whom I conferred, could not add to my information. Mr Donald A. Smith, who was the commissioner of the government of Canada during the time the Act was applicable to the whole North-West, could give no particulars. Accordingly I did the best I could in the emergency, and selected three gentlemen for councillors. . . .
>
> . . . Meanwhile, about the 5th inst., my books arrive, and when I turn to the Rupert's Land Act . . . I find that I have been all wrong, and that I have been exercising functions belonging to the Governor-General.

The appointment of the council of three had been *ultra vires*. The measures which had been taken to prevent the spread of smallpox had nevertheless been regarded as valid in the territories, and proved effective in limiting the area of contagion. The legislation to prevent the sale of spirituous liquors in the North-West Territories was re-enacted by the Council of the North-West Territories on March 8, 1873. And the councillors themselves were, together with Lieutenant-Governor Archibald, on November 25, 1870, appointed commissioners to administer oaths in the North-West Territories.

On December 9, 1870, the lieutenant-governor submitted the names of the following as councillors: Bishop of Rupert's Land, Bishop of St Boniface, Hon. F. G. Johnson, D. A. Smith, Pascal Breland, Robert Hamilton, Jas. M^{c}Kay, A. Boyd, K. M^{c}Kenzie, and Geo. d'Eschambault. On November 23, 1871, the lieutenant-governor sent another letter submitting additional names to the secretary of state for the provinces. This letter has disappeared, and the names of those recommended are no longer known. The *Canada Gazette* of April 20, 1872, simply added to the list of the commissioners to administer oaths the names of Gilbert M^{c}Micken and William Osborne Smith.

On December 2, 1872, Alexander Morris became lieutenant-governor of Manitoba and the North-West Territories. To assist him in the administration of the North-West Territories the Dominion government appointed a council com-

posed of A. M. Girard, Donald A. Smith, Henry J. H. Clarke, Pascal Breland, Alfred Boyd, John Schultz, M.D., Joseph Dubuc, A. G. B. Bannatyne, William Frazer, Robert Hamilton, and William J. Christie. It was clearly understood that this council was acting provisionally. It contributed largely, however, towards shaping the policy that was to prevail in the government of the territories. At its first meeting it passed an act to prohibit, except under certain restrictions, the importation of spirituous liquors into the territories. It made provision for the appointment of justices of the peace. It represented to the Dominion government that the criminal laws of the Dominion should be extended to the territories, and that a mounted police force, under military discipline, should be established in the territories for the maintenance of peace and order and the enforcement of the laws. It was this suggestion that led in 1873 to the organization of the Royal North-West Mounted Police.

The last meeting of the council was held at Fort Garry on November 23, 1875. There were present Girard, McKay, Breland, Boyd, Dubuc, Frazer, Tait, Bannatyne, Kennedy, Delorme, and McTavish. After expressing the expectation that a new council was to be organized, partly nominative by the crown and partly elective by the people, with a resident governor within the territories themselves, Lieutenant-Governor Morris passed in review the work that had been accomplished in intervening sessions of the council :

> You were, and are, of opinion that the Militia Battalion in Manitoba should be maintained, and should be so increased that as an effective force it should be available in the Territories.
>
> You proposed that treaties should be made with the Indians of the plains at Forts Carlton, Pitt and Qu'Appelle, and you suggested that schools should be provided for, that agricultural implements and cattle should be given to the Indians, and that teachers should be furnished to teach them the arts of agriculture.
>
> You have seen a treaty concluded at Qu'Appelle and I am glad to inform you that treaties will be made next season at the other points indicated.

You urged that Stipendiary Magistrates should be appointed, resident in various portions of the Territory, clothed with powers to deal with certain classes of criminal offences, and also with limited jurisdiction as regards civil causes, and that a resident judge with Queen's Bench powers should be appointed to deal with graver matters, with an appeal to the Court of Queen's Bench, in the Province of Manitoba, in certain cases.

Your recommendation as to Magistrates has been adopted by the Dominion, and though power has been given to the Judges of the Court of Queen's Bench of Manitoba to hold courts in the Territories, this can only be regarded as a provisional measure, so that I doubt not your proposal will be eventually carried into effect.

You called attention to the necessity of steps being taken to punish the actors in the Cypress Hill tragedy, and your recommendation has been acted on by the Privy Council, with the best effect as regards the Indian population.

You proposed that a monthly mail should be established between Fort Garry and Fort Edmonton, for the convenience of the public, and it is to be hoped that the private mail now carried for the use of the Police and the Pacific Railway service may prove the precursor of a much needed boon to the people of the North-West.

You asked that a reserve should be granted to the Norway House Indians, who had been deprived of their means of livelihood by the introduction of steam navigation, and your request has, during the past season, been granted.

You passed laws for the appointment of coroners, for caring for orphan children, for regulating the relations of masters and servants, for 'the prohibition of the importations of poisons into the Territories, and of their use in hunting game.'

You asked that the existing highways, portages, and watering-places in the Territories should be set apart for the public uses, and that as soon as treaties with the Indians were completed, surveys should be made of the lands where settlement had taken place, and some of these subjects have been dealt with by the Privy Council, but others still remain for their action.

The provisional council laid the foundations of territorial administration. It did much to secure the goodwill of the Indian tribes and concluded with them various important treaties, while in its concluding session it took measures to regulate buffalo-hunting and to prevent the spread of prairie and forest fires.

In 1873 the affairs of the territories were entrusted to the department of the Interior, which was constituted mainly for this purpose. The first three lieutenant-governors of Manitoba, Adams G. Archibald, Francis Goodschall Johnson, and Alexander Morris, represented the Dominion government in the administration of the North-West Territories. On October 7, 1876, the territories received a separate lieutenant-governor in the person of David Laird, who during the previous three years had been minister of the Interior. It was his function to establish the council of the North-West Territories.

The North-West Council, 1876-88

Livingstone, Swan River, N.-W. T.,
Government House,
7th day of March, 1877.

Sir,—The Members of the Council of the *North-West Territories* are summoned to meet in Legislative Session, to-morrow (Thursday) at Government House, at the hour of three o'clock, p.m.—By Command of His Honour The Lieutenant-Governor,

A. E. Forget,
Clerk of Council.

Copies of the above notice were addressed to all members of the council in pursuance of 'An Act to amend and consolidate the Laws respecting the North-West Territories,' which the parliament of Canada had passed in the session of 1875. Accordingly the first legislative session of the council was held on March 8, 1877, at Livingstone, Swan River, which was the temporary seat of government pending the erection of government buildings at Battleford.

Battleford was on the line of travel between Winnipeg

and Calgary and Macleod, and it was on the then projected route of the Canadian Pacific Railway. Though the government had chosen it as a town-site only in 1876, when it was decided to locate the capital of the territories there, it had for many years been a place of some importance. The Indians of the northern plains had for untold generations made their winter quarters in the vicinity. At the beginning of the nineteenth century the North-West Fur Company of Montreal had agents trading there, and a trading-post of the Hudson's Bay Company had long been maintained near the town.

On the completion of the buildings Battleford became the seat of government, and sessions of the North-West council were held there in 1878, 1879, and 1881. Then the rapid settlement of the country along the line of the new Canadian Pacific Railway induced the government to select Regina as best suited for the transaction of the public business of the territories. At the time of the transfer of the seat of government the only promise of the present splendid capital was a few tents pitched on the open prairie, and, to the west, near the head of the Pile o' Bones Creek (Ooscana, English Wascana), the North-West Mounted Police barracks.[1] The first session of the North-West council at Regina opened on August 20, 1883.

During its existence the North-West council underwent a gradual transformation. This was due to the addition from time to time of members elected to represent dis-

[1] The selection of Regina was severely criticized, and nowhere more vigorously than at Battleford. The *Saskatchewan Herald* of September 30, 1882, says: 'The difficulties that beset the selection of a capital were overcome by the selection of a site on the Pile of Bones Creek lying on the railroad about midway between Qu'Appelle and the Moose Jaw. The choice of this capital has but one thing to recommend it—it lies on the railway; but that advantage is also enjoyed by hundreds of other places which have in addition both wood and water. Pile of Bones has little of the latter and none of the former, standing as it does in the midst of a bleak and treeless plain. "Leopold," the first name given the projected town, fell flat on the public ear, and the new name "Regina" is no more kindly taken to, even though it was given under the sponsorship of the governor-general. Even the railway magnates, whose keenness in the selection of town-sites entitles their opinion to much consideration, were opposed to the site chosen. The current subject of conversation at Qu'Appelle is the influence at work in favor of the location.'

tricts. The first council was composed of one appointed and three *ex officio* members. The lieutenant-governor, David Laird, and the two stipendiary magistrates, Mathew Ryan and Lieutenant-Colonel Hugh Richardson, were members *ex officio*. The appointed member was Lieutenant-Colonel James F. Macleod, C.M.G., the commissioner of the North-West Mounted Police.

The lieutenant-governor had been journalist and politician. His wide experience in public affairs, not only as premier of Prince Edward Island but also as minister of the Interior, admirably equipped him to guide the destinies of a political structure yet to be made. His sympathy with, and understanding of, the Indian population was an asset the absence of which in at least one of his successors created unrest.

Until the transfer of the capital to Regina, the council remained unchanged with the exception of two additional members, Pascal Breland and Lawrence Clarke. Of these the former, a merchant of Cypress Hills, was appointed member in 1878. He had begun his public career in 1849 in the agitation led by Louis Riel, the elder, for freer trade in furs. He had been a member of the first legislative assembly of Manitoba and of the provisional council of the North-West Territories, and had only recently come into prominence by reason of his success in pacifying the Sioux.

The North-West Territories Act, 1875, had provided that an electoral district might be formed when an area of a thousand square miles contained a population of not less than a thousand inhabitants of adult age. On November 13, 1880, Lieutenant-Governor Laird, under the powers vested in him by the North-West Territories Act, 1880, issued a proclamation erecting three electoral districts—Kimberley, Salisbury, and Lorne. He issued another proclamation on February 5, 1881, regulating the proceedings of elections in the North-West Territories. On February 16 the clerk of the council issued a writ addressed to Edouard Richard, sheriff of the North-West Territories, commanding him to hold an election for a member to serve in the council

for the electoral district of Lorne in the settlement of Prince Albert.[1] March 9, 1881, was appointed for the nomination of candidates. The election resulted in the return of Lawrence Clarke, chief factor of the Hudson's Bay Company at Carlton.[2] Clarke thereby became the first elected member of the council, and he represented Lorne in 1881 during the last session of the North-West council in Battleford. His admission to the council was the initial step in the evolution of responsible government. Only five years had elapsed since the territories had received a government which, if autocratic in form, was nevertheless concerned with the territories alone. It needed only a decade more to complete the process begun in the election of Clarke to secure for the territories self-rule, responsible in fact if not in form.

The transfer of the capital to Regina marked a new era not only in the development of the territories but also in the composition of the council. At the opening of the first session in the new capital, the lieutenant-governor, Edgar Dewdney, announced that no less than 172,740 acres had been entered for homesteads in the district adjacent. The erection of new electoral districts indicates that similar progress was being made in other parts of the territories. In 1883 five new districts were represented: Edmonton, Broadview, Qu'Appelle, Regina, and Moose Jaw. Of these Edmonton alone was not on the line of the Canadian Pacific Railway. In 1884 representation was given to Moose Mountain and Calgary; in 1885 to Moosomin, Macleod, and Saint Albert, with an additional member for both Regina and Qu'Appelle; in 1886 an additional member

[1] Pierre de la Vérendrye established a post at Prince Albert on one of the islands. The Indians had chosen this spot as one of their rallying-points. In 1866 the Rev. James Nisbet founded here the mission of Prince Albert.

[2] Lawrence Clarke was born in 1832 in the county of Cork, Ireland. He entered the Hudson's Bay Company's service in Montreal in 1851. He received his commission as factor in 1858 and as chief factor of Saskatchewan in 1878. He died in Prince Albert, October 5, 1890.

In this election of 1881 Chief Factor Clarke was opposed by Captain Moore. Opposition was raised on account of Clarke's connection with the Hudson's Bay Company. There were four polling divisions in the district. The vote stood: Clarke 250, Moore 143.

was granted to Calgary;[1] in 1887 the electoral district of Broadview became Whitewood and the electoral district of Lorne became Prince Albert.

The following table will indicate the change in the proportion of elected members, all of whom sat for a term of two years:[2]

Sessions	Number of Members (in addition to Lieutenant-Governor)	
	Appointed	Elected
1877	3	..
1878	4	..
1879	4	..
1881	4	1
1883	5	6
1884	6	8
1885	6	13
1886	6	14
1887	6	14

This expansion of the membership of the council, due to the development of the territories, reflected the increase of

[1] On November 11, 1886, the lieutenant-governor laid on the table the following return, showing the number of electoral districts, names of members, and number of voters on voters' list in each district at last election (Appendix D, 1886).

Name of District	Members	Number of Voters on List
Macleod	Boyle	276
Edmonton	Wilson	299
St Albert	Cunningham	221
Moosomin	Bedford	456
Broadview	Marshallsay	386
Qu'Appelle	Perley and Crawford	1044
Moose Jaw	Ross	371
Regina	Jelly and Secord	632
Lorne	Hughes	741
Moose Mountain	Turriff	243
Calgary	Cayley and Lauder	639

[2] *Journals of the Council of the North-West Territories of Canada*, 1887, p. 73.

the burdens imposed upon the council by the interests of a growing population. It provided, however, a means to expedite the larger amount of legislation that was now rendered necessary. Standing committees were appointed. In 1883 a special committee appointed for that session recommended the appointment of standing committees on civil justice, municipal law, and miscellaneous subjects. In 1885 there was added a standing committee on schools; in 1886 one on finance. The standing committees of the final session of the council in 1887 were on civil justice, schools, finances, agriculture, and municipal matters.

The North-West Territories Act of 1875 provided that when the number of elected members reached twenty-one the council should terminate, and the members so elected should be constituted and designated a legislative assembly. Though the number of elected members in 1887 was only fourteen, the session of 1887 proved to be the last session of the North-West council. In 1888 twenty-two elected members constituted the legislative assembly.

According to the North-West Territories Act of 1877 the lieutenant-governor in council possessed both legislative and administrative powers. The power to make ordinances was in relation to the following subjects:[1] the establishment and tenure of territorial offices and the appointment and payment of territorial officers; the establishment, maintenance, and management of prisons in and for the North-West Territories; the establishment of municipal institutions in accordance with the provisions of the North-West Territories Acts, 1875-77;[2] the issue of shop, auctioneer, and other licences[3] to secure a revenue for territorial or municipal purposes; the solemnization of marriage in the territories; the administration of justice, including the constitution, organization, and maintenance of territorial courts of

[1] These powers were in accordance with the provisions of the British North America Act with respect to the provinces.

[2] Amended by order of the governor-general in council, dated June 26, 1883, to read 'subject to any legislation by the Parliament of Canada, heretofore or hereafter enacted.'

[3] Amended June 26, 1883, to read 'except licenses for the sale of intoxicating liquors.'

civil jurisdiction; the imposition of fine, penalty, or imprisonment for enforcing any territorial ordinance; property and civil rights in the territories subject to any legislation by the parliament of Canada upon these subjects; and generally all matters of a merely local or private nature in the territories. The council had no power to impose direct taxation except in electoral districts,[1] but was competent to regulate by ordinance the disposition of such funds as accrued under the operation of the ordinances of the North-West Territories from fines and licence fees.[2]

In 1886 the powers of the council were enlarged as a consequence of resolutions submitted to the Dominion government by delegates sent to Ottawa. The council could henceforth make ordinances in relation to direct taxation within the territories for the purpose of a revenue for territorial (including municipal) purposes. It was also granted the privilege of incorporating companies with territorial objects with the exception of railway, tramway, steamboat, canal, transportation, telegraph and telephone companies, insurance companies, and such companies as could not be incorporated by a provincial legislature.[3]

The presence of a considerable number of half-breeds and Indians accustomed only to the paternal rule of the Hudson's Bay Company was a circumstance which with unwise treatment might have been fraught with grave difficulties. That an insurrection did arise in 1885 cannot be laid at the door of the North-West council, who more than once had made representations to the Dominion government respecting the claims of the half-breeds.

The half-breed insurrection of 1885 has bulked somewhat too largely in the popular mind, for the reason that it is the sole dramatic incident in the history of the North-West Territories. It is not without importance. Yet its significance scarcely justifies the interest it has aroused. The sending of troops from the several provinces promoted national sentiment throughout the Dominion in the same way as

[1] *Journals of the Council of the North-West Territories of Canada*, 1878, Appendix A, p. 39.

[2] *Ibid.*, 1878, p. 6.

[3] *Ibid.*, 1886, p. 11.

imperial sentiment was quickened in the Boer War by the dispatch of Canadian troops to South Africa. The enormous distances to be traversed helped to render the expedition spectacular. Genuine anxiety for the safety of the white settlers, combined with the tinge of romance in contending against Indians and half-breeds who were rising for their last fight on the prairies, could not fail to awaken an interest in the land of the Saskatchewan among both the English and French population of Eastern Canada. The sufferings of the settlers were not slight, but the government promptly[1] paid a portion of the losses in those cases where delay would have caused additional hardship and where claimants were in danger of destitution, and subsequently made certain other compensation. The loss of life and the number of injured, while all too great on both sides, amounted to less than one-quarter of the total number of persons killed and injured on Canadian railways in a single year.[2] The rising did undoubtedly direct the attention of the outside world to the West and of the government to the existence of real grievances, and the visit of a large number of citizen soldiers tended to induce immigration. In other respects the influence of the insurrection upon the political history of the North-West Territories was not great.

The rising itself was an act of madness. As the lieutenant-governor stated in an address to the North-West council on December 9, 1885, 'Whatever happened to precipitate the late rebellion, nothing was done to justify resort to arms.' But if the insurrection was without justification, it was not without excuse. It was born on the banks not of the Saskatchewan but of the Red River. As the grievances that prompted the movements of 1870 and 1885 were not unlike,[3] so the principal actor in both was the same well-

[1] Reply of Dominion government to Resolutions of Council, 1886, Appendix.

[2] The *Canadian Year Book*, 1907, table ccxii.

[3] The *Saskatchewan Herald*, August 9, 1884, stated: 'It is a significant coincidence that simultaneously with Riel's appearance on the Saskatchewan the story of Indian wrongs that did service in 1869-70 should be revived here. He had scarcely arrived at Prince Albert before runners were amongst our Indians telling them how the Hudson's Bay Co. sold their lands but withheld

meaning, strongly religious tribune of the people, Louis Riel, who might have been a great man had he been exempt from his family's disposition to insanity and his own tendencies towards fanaticism. In Manitoba he had convinced both himself and the half-breeds that their cause was just. He had not, however, accompanied the half-breeds to the valley of the Saskatchewan, but Gabriel Dumont, who combined a sense of grievance with a genius for organization and agitation, took his place. This intrepid, unlettered buffalo-hunter, grandson of a French Canadian of Montreal, was a native of Manitoba. At twenty-one years of age he had become a veritable Indian chief. In more than one encounter on the plains he had given evidence of rare courage. In the Red River trouble he had been zealous to withstand the troops with armed resistance, and when he finally yielded, it was out of loyalty to Bishop Taché rather than because he put any faith in the Dominion government. On the banks of the South Saskatchewan he made himself leader of the community of some two hundred French half-breed families, and he actually established a form of government in organization not unlike that employed in the great buffalo hunts, and so vigorous that Lieutenant-Governor Morris had considered it wise to interfere. Dumont continued, however, as the guiding spirit of the settlement. The rebellion in the Red River Settlement had been largely due to the fear of the half-breeds that they were about to be robbed of their lands. The situation was repeated along the South Saskatchewan. Here the pioneer settlers had taken up land in the same long narrow strips as had prevailed along the Red River. They wanted to secure their lands, but the patents were not forthcoming. This, combined with the knowledge that the Canadian Pacific Railway was rapidly drawing to completion and would inevitably occasion an influx of a host of land-hungry people, awakened misgivings in many who had not forgotten the experience of the Red River.

the price. Big Bear and Lucky Man, forgetful of their recent agreement to settle down on the reserves, immediately set off to join the Carlton District chiefs in demanding from Chief Factor Clarke the £300,000 for which the Company had sold its Charter, and failing Mr Clarke's compliance with this demand they are to report to Riel for further instruction.'

In 1881 the grievances of half-breeds living in the North-West Territories in regard to land or scrip in the Province of Manitoba were made the subject of a memorial from the council to the Dominion government. In 1883, again, the council memorialized the government 'that those Half-breeds in the Territories who have not participated in the arrangement to extinguish the Half-breed claims in Manitoba should enjoy the same rights as accorded Half-breeds in that Province.'

It is clear that in the summer of 1884 there was no expectation in official quarters of any serious trouble with the Indians. The Edmonton *Bulletin*, however, sounded a note of warning on June 14, 1884 :

> From all parts of the North-West, but especially from the southern and eastern portions, come rumours of dissatisfaction among the different Indian bands. With such a people and under such circumstances all that is required is the occasion and the leader to land the North-West in the middle of a first-class Indian war.

It was felt by all that the situation called for tactful action, for the half-breeds exercised a tremendous influence over the Indians.

On July 9, 1884, the lieutenant-governor, who had insisted that the reports of Indian difficulties were greatly exaggerated, availed himself of the opportunity to welcome in the name of the council the Blackfeet chiefs Crowfoot, Red Crow, Eagle Tail, and Three Bulls to the capital of the territories. Later the council authorized the lieutenant-governor to present the sum of fifty dollars to Crowfoot and his associates as a mark of the esteem in which his nation was held and as 'recognition of their good faith and true allegiance to Canada.'

The North-West council repeatedly laid the claims of the half-breeds before the Dominion government. On December 7, 1885, after the rising had taken place, the council, in an address in reply to the speech of the lieutenant-governor, indicated clearly that whoever had been responsible it had not itself been remiss :

> Knowing as we do the great influence always had over the Indians by the Half-breeds, we have to regret that the repeated representations heretofore made to the Government of Canada by the North-West Council, in behalf of the Half-breeds and their claims, did not receive more immediate attention.

Early in the summer of 1884 a small half-breed delegation went to Montana to lay their case before their old leader, Louis Riel. Riel proceeded to the Saskatchewan, and in less than a year after his arrival a provisional government was formed and a rebellion had broken out. But it was after the granting of the scrip in March 1885, which was an admission of the justice of the half-breeds' claims,[1] that Riel formed his provisional government.

The details of the actual conquest belong to the military history of the Dominion rather than to the political history of the North-West. Gabriel Dumont was Riel's commander-in-chief. Possessed of a natural military instinct, he had gained from years of buffalo-hunting on the prairies an appreciation of strategic positions that compelled the admiration of his foes and made him a dangerous adversary.

Hostilities began at Duck Lake late in March 1885. Canadian troops quickly responded to the summons to arms and hastened west. Three columns marched north from the line of the Canadian Pacific Railway from Qu'Appelle, Swift Current, and Calgary. This division of the troops and their

[1] The demands of the half-breeds were not confined to patents. They complained that they were charged dues on timber, rails, and firewood required for home use; that settlers were not allowed to perform their breaking and cropping on pre-emptions in lieu of their homesteads; that the North-West suffered in the matter of contracts for public works and supplies; that direct communication with Europe via Hudson Bay was denied the West; that settlers were exposed to coercion at elections; that the North-West was treated as a mere appendage to Canada; that the territories were under a government that had been temporary for fifteen years and were refused the administration of their resources, etc.

Their Bill of Rights asked for the partition of the territories into provinces; the sale of one half-million acres of Dominion lands for building schools, hospitals, etc., for the half-breeds, and for the purchase of seed, grain, and agricultural implements; the reservation of a hundred townships of swamp-lands to be distributed during the next hundred and twenty years to their children; money grants for religious institutions; better terms for Indians;—all beside the extension to all half-breeds of land grants of two hundred and forty acres.

THE SURRENDER OF POUNDMAKER TO MAJOR-GENERAL MIDDLETON AT BATTLEFORD, MAY 26, 1885

rapid marching robbed the half-breeds of any hope of co-operation from the Indians who were scattered in reserves throughout the territories. But if the larger numbers of the Dominion troops proved more than a match for the half-breeds, Dumont's strategy wrung from General Middleton on May 9 the confession that he was in a 'rather ticklish position,' that his force could do no more than maintain its hold, that he was remaining simply for moral effect. He wrote the government an urgent demand for gatlings and ammunition. The engagements were at Cut Knife Hill, at Fish Creek, and at Batoche, where the rebellion was crushed on May 12. Dumont escaped to the United States. Riel was sent to Regina for trial, condemned to death, and hanged on November 16, 1885. His death was made the subject of bitter racial recriminations, and in many parts of the Dominion the government was adversely criticized for allowing the sentence to be carried out. A careful examination of his conduct during the spring of 1885 seems to leave no reasonable doubt as to Riel's insanity.[1]

It is undoubtedly the case that, disastrous as the uprising was for Riel himself and his associates, the rebellion was not an unmixed evil. Its significance is not great. The interest aroused over the fate of Riel was confined chiefly to Ontario and Quebec and to his fellow half-breeds. The Calgary *Tribune*, not inaccurately if all too bluntly and unabashedly, voiced the sentiments of many in the territories in an editorial of November 5, 1886, wherein it characterized the rebellion as a 'godsend.'

[1] Of the commission, however, appointed to inquire into the mental condition of Riel, Dr Jukes reported that with the exception of certain religious questions relating to Divine inspiration (he believed that the Holy Ghost was leading him in his great mission, the regeneration of the North-West), Riel on his examination was perfectly sane and accountable for his actions; Dr Valade reported that Riel suffered under a hallucination on the subjects of religion and politics, but on other points was quite sensible and could distinguish right from wrong; Dr Lavalle was of the opinion that although Riel had expressed peculiar views on religion and general government, he was accountable, being capable of distinguishing right from wrong.

In the North-West council a resolution was moved by Mr Perley in which the trial was characterized as 'fair and impartial,' the tribunal 'competent,' and it was declared that the peace, progress, and prosperity of the territories would have been jeopardized had Riel escaped the just penalty of his misdeeds.

The North-West council also passed resolutions appreciating the services rendered by the volunteers and the North-West Mounted Police, and asking the crown to extend clemency to the half-breed prisoners, whose offences they represented to be of a purely political character.

In 1885 the Dominion government appointed a commission to settle the claims of the half-breeds. In March 1886 Roger Goulet was appointed sole commissioner to complete this work. This system of a flying commission proved unsatisfactory, and in 1887 the council urged upon the government the appointment of the judges of the North-West Territories as permanent commissioners and the taking of such steps as would ' finally end all Half-breed claims.'

The North-West council in its day had kept in close touch with the half-breed and Indian population, and in this way had been able to avoid misunderstandings and prevent natural prejudices from growing into serious causes of irritation. Under the new system this close contact was not so easily maintained, and in point of fact was not at first maintained. Probably the need of it was not duly recognized. To this cause the outbreak must no doubt to a large extent be attributed. Since that time the faithful carrying out of treaty obligations, the beneficial effects from the establishment of schools, the efforts of missionaries, and the wise treatment of Indian agents have prevented even the suggestion of an outbreak.

From this point of view rebellion was the price paid for failure to study and appreciate the needs of the North-West. The Edmonton *Bulletin* put the case strongly, and yet expressed a somewhat general opinion, when it said on August 22, 1885:

> For years it has been a pet idea among Canadian politicians that the people of the North-West were unreasonable and that there was no possibility of satisfying their numerous demands and that the cheapest way to deal with them was to pay them no attention beyond refusing on principle whatever they might chance to ask. This idea has been effaced by blood.

On the other hand, the presence in the country of Riel, a

man of fiery temper, tended to fan discontent into discord and rebellion ; and in accounting for the outbreak this special local influence cannot be overlooked.

In appreciating the work of the North-West council, the circumstances under which it was performed must be considered. The extent of the territory over which the council exercised control was enormous. It consisted of vast stretches of prairie between Manitoba and British Columbia, and from the international boundary to the farthest north ; and included not only the settled districts of Assiniboia, Alberta, and Saskatchewan, but also those districts still unsettled—Ungava, Mackenzie, Athabaska, and Yukon. Although the Hudson's Bay Company had exercised sway in this region for two centuries, and white settlers had already come to certain parts, especially between the years 1813 and 1835, yet the country was new, and the ordinances inevitably partook of the nature of pioneer legislation. The early measures adopted reflected faithfully the state of development that the country had reached : for example, the ordinances relating to round-ups, brands, buffalo-hunting, ferry licences, toll bridges, prairie fires, and stray animals.

The organization of the country, the development of local self-government, the establishment of schools, municipalities, and judicial courts, and the guarding of the interests of settlers especially in the matter of land—these were the tasks that devolved upon a body which by the very terms of its own constitution was creating problems for itself. For not the least important problem to face the council, which was at first entirely non-elective, was to modify its own character so as better to correspond to a growing aspiration for responsible representative government within the territories.

The scope of the powers vested in the lieutenant-governor operated to the security and good government of the territories. But this very power gave him the appearance of an autocrat, and led to the unfortunate result that men imbued with political ideas formed in the eastern provinces, where the struggle for self-government had been fought out before they were born, were thrown into a position of antagonism to him. In the early days of the struggle that ensued, the

work of the advocates of self-government was far from popular, and the sentiment in its favour only grew with the coming of fresh batches of settlers from the East.

In dealing with these problems the radical wing, which supported its claims with British precedents, was constituted by the elected members of the council. Frank Oliver, a native of Peel County, Ontario, a journalist by profession, who was elected as first representative of Edmonton in 1883 and sat during the sessions of 1883 and 1884, was unyielding in his radicalism. James H. Ross, a native of London, Ontario, was a rancher of Moose Jaw. Unlike Oliver, Ross was able to retain his seat during the existence of the North-West council. With his radicalism he combined a political shrewdness of a high order, a great knowledge of men, and a remarkable resourcefulness in measures, and he may well be regarded as the father of liberalism in the North-West. In 1884 the election of Turriff, of Moose Mountain, and Geddes, of Calgary, brought strength to the aggressive party and put the elected members of the council in the majority. In the by-election of 1887, caused by the resignation of Viscount Boyle, member for Macleod, Frederick W. G. Haultain was returned. A native of Woolwich, England, Haultain received his primary education in Montreal and Peterboro, and, after graduating in classics from the University of Toronto, was called to the Ontario bar. Coming to the territories in 1884, he was admitted an advocate and became crown prosecutor at Fort Macleod. The son of a liberal, he was himself a mild conservative with a tendency to independence, and found himself in sympathy with the reform policy advocated by Ross.

No subject occasioned more frequent memorials to the Dominion government on the part of the North-West council than that of the land. The public lands in the North-West Territories, unlike those in all other provinces except Manitoba, were administered by the Dominion government, and every year the council found it necessary to make representations to the government respecting their land policy, demanding the opening up of land offices, the placing of vaults in registry offices, the settlement of the claims of the half-breeds, Indians,

and settlers, the opening of cancelled land for free homesteading, the recognition of residence with relatives in the same or adjoining township as equivalent to residence on homesteads, the granting of the privilege of entering for a second homestead to those who had completed their homestead duties before June 3, 1886, the reduction of the price of preemptions, the postponement of payment in a season of drought, and the establishment of the head office of the land board in the territories. By these memorials to the Dominion government the council was able to render the people of the territories a substantial service.

In 1884 a number of the elected members—Oliver, Ross, Turriff, and Geddes—gave expression to the claim that the revenue from the lands, timber, and minerals of the territories should be handed over to the local, instead of being held by the Dominion, government. They held that the retention of these revenues was especially unfair, since the public works on improvements paid out of local funds operated to increase the value of the land controlled by the Dominion.

They also pointed out that two sections of land in every township were held in reserve from settlement for the benefit of schools. Owing to the sparsely settled condition of the country, aid to schools was needed then more than at some future time, when these sections would be offered for sale. They therefore asked that the Dominion government would either grant upon the security of these lands whatever funds the local government might from time to time require in aid of schools, or hand them over at once to be dealt with in the interests of education in the territories.

In the same year Oliver and Ross, in a resolution which failed to carry, recognized the propriety of the Dominion government continuing for the present at least to administer the public lands within the territories, but denied that the title in fee-simple rested in the parliament of Canada. They claimed that the title was vested in the British crown, and that as soon as responsible government was secured it should be assumed by the legislative assembly of the territories. This question was later to be fruitful of much debate.

The North-West council by its very constitution was

doomed to dissolution. The system of erecting electoral districts as soon as the growth of population in any settlement warranted it could have no other result than to make the elected members the party of progress. The increase in their number was the best index to the development of the country. Ross, Oliver, Geddes, Turriff, and the other elected members made their influence felt in the effort to secure educational advantages for the settlers and in the agitation for responsible government. The districts which these members represented enjoyed the privilege of self-government through municipal and school corporations ; and this lent an impulse to a general demand not only for a greater participation in the government of the territories, but also for some representation in the parliament of Canada. In the forefront of the agitation stood Ross and Oliver, who together began a struggle to secure for the elected representatives of the people the control of all money devoted to purposes of government. This struggle was to be waged, often with great bitterness, for nearly a decade. In 1884, as has been said, the elected members were the majority in the council for the first time. An improvement not only in the quantity but in the quality of the work of the council was immediately noticeable. Ross and Oliver secured the appointment of a finance committee of three elected members, M^c^Dowall, White, and Geddes, to consider the statement of receipts and expenditure submitted by the lieutenant-governor. This committee presented a supplementary report which raised the question of the exact nature of the executive capacity of the council, and insisted that the council should exercise some control over the expenditure of the Dominion grant.[1] A group of elected members, Ross, Oliver, Turriff, and Geddes, urged that the council ' should forthwith assert its rights to the legislative and executive control of all matters relating to the Government of the *North-West Territories*,' and its ' desire to have funds granted . . . by the Parliament of *Canada* . . . placed under their control as the representatives of the people of the North-West, instead of in the hands of the Lieutenant-Governor, as the representative

[1] *Journals of the Council of the North-West Territories of Canada*, 1884, p. 32.

of the Canadian Government in these Territories.' They also urged ' that the sum now granted be further increased.' [1]

Ross and Oliver championed the following progressive measures during the session of 1884 : the erection of a greater number of electoral districts for the return of responsible representatives ; the relaxation of educational regulations in order to admit of schools with an average attendance of ten children instead of fifteen, as formerly, securing government aid ; the surveying and placing the leading trails in the hands of the territorial government ; the co-operation of the Dominion and territorial governments in repairing and extending to the Peace River the great trail from the boundary-line through Fort Macleod, Calgary, and Edmonton to the Athabaska Landing ; opposition to allowing agents of colonization companies to act as agents of the government ; negotiation with the government of Manitoba with a view to joint action in constructing and operating a railway to Hudson Bay to facilitate the exportation of grain ; protest against the methods pursued by the Dominion government in letting contracts for works and supplies required in the North-West ; the approval of the establishment of breweries to provide a market for the surplus barley of the country. Their most important measure was one in which they demanded a full measure of responsible government [2] and the immediate organization of a legislative assembly.

A motion proposed by Jackson of Qu'Appelle and seconded by Turriff of Moose Mountain on July 29, 1884, stated the constitutional position of the council of the North-West as understood by most of its members and protested against the introduction of party politics into the council :

> That in the opinion of this Council it is the duty of its members in their Legislative capacity to enact such measures as will conduce to the peace and prosperity of the North-West Territories.
>
> That as an Executive Council they are requested to aid the Lieut.-Governor in the Government of the said Territories.

[1] *Journals of the Council of the North-West Territories of Canada*, 1884, p. 47.
[2] *Ibid.*, p. 60.

That we believe it to be the duty of the Executive Council of the North-West Territories to look carefully into matters affecting the said Territories, and where, by reason of the extraordinary growth and development of the country, Laws and Regulations made by the Dominion Government are found unsuited to the requirements of the country, such representations should be made by the Executive Council to the Dominion Government as will enable them to legislate in the interests of the said Territories.

That we believe the feeling of the country to be strongly against the introduction of party politics into the Council as well as against any action of the Council being taken in such a way that either political party in the Dominion Parliament could use it for political purposes.

The lieutenant-governor expressed himself in favour of dividing the North-West Territories for electoral purposes as nearly as possible on the basis of representation by population, and in the same year a curious device was adopted to introduce a measure of responsibility into the appropriation of the funds of the North-West Territories. Each of the members representing the electoral districts then in existence—Regina, Moose Jaw, Moose Mountain, Broadview, Qu'Appelle, Lorne, and Calgary—was empowered to spend $1000 on his district. In addition Macleod and Rouleau, who as stipendiary magistrates were *ex officio* members of the council, received each $500 to spend upon Macleod and Battleford, which were not yet electoral districts. In 1886 $500 was placed to the credit of each of the elected members for the same purpose in their districts.

The large appropriation by the Dominion government for the administration of the territories,[1] the increase in the

[1] Up to July 1, 1884, the only member to receive remuneration for his attendance had been Pascal Breland, who was the only nominated councillor without other office. He had been paid at the rate of $800 a year. After July 1, 1884 (*Journals*, 1884, Appendix C), the elected members were paid out of the Consolidated Revenue Fund of Canada at the rate of $400 per year with travelling expenses.

Beginning with the session of 1886, Pascal Breland received the same remuneration as the elected members. In paying these remunerations the Dominion government stipulated that they should continue to be a charge on the Dominion treasury only until the revenues of the North-West Territories were sufficient to bear a transfer of the charge to them.

local revenue, and the large expansion of business generally throughout the territories induced the lieutenant-governor to request the members of the council to devise some means by which their advice could be obtained during recess. A committee composed of one appointed and ten elected members was selected to prepare an address in reply to the speech in which this request was made. The address was not reported till all the elected members not on the committee—Turriff, Geddes, and Cunningham—had been added on the motion of Ross. Finally, on December 7, 1885, the committee reported a resolution which was in part as follows :

> While congratulating ourselves and the country on the increased representation afforded us, we cannot omit to point out to your Honour the still greater rights of representation which we feel we are entitled to, but have not yet received. Settled as these territories in a large measure are by men who have been accustomed to the constitutional rights and privileges of the British Empire and its Colonies, it is inevitable that a feeling of distrust should be prevalent owing to our not enjoying the same.
>
> The taking of the census we are confident will show that our longings and aspirations for local self-government are not the outcome of a few individuals, but the desire of a country settled as largely as some of the present Provinces of the Dominion.
>
> We confidently look forward to the next session of the federal parliament granting our requests and calling to their councils representatives of these territories. As Canadians we shall cherish the day when we shall receive the same rights and privileges as the rest of our beloved Dominion, and be permitted to take part in moulding its destinies.

The committee further recommended the lieutenant-governor to secure from the elected members any particular advice required during the recess as to purely local matters in their respective districts.

Among the resolutions reported on December 15, 1885, by the special committee to memorialize the Dominion government, were demands for territorial representation in the Senate and House of Commons and for the appointment

of residents of the territories to positions of trust and emolument. As a result, provision was made in the next session of parliament for the representation of the people of the North-West Territories in the House of Commons, and, further, the North-West council, which up to this time had served as the sole representative of the people of the territories in dealing with the Dominion government, was relieved, to a great degree, of the burdensome duty of drafting memorials to voice the petitions and grievances of the territories. The government also stated that it was fully alive to the desirability of filling offices in the territories from among residents.

When the lieutenant-governor made reference to the advisability of revising the boundaries of electoral districts with a view to giving the council a more representative character, the members declared that a proper distribution of seats which would leave no qualified voter unenfranchised would bring the elective members of the council up to that number which would bestow on the territories the legislative assemblies provided by the North-West Territories Act.[1] On October 22, 1886, on motion of Secord and Jelly, the elected members were constituted a committee to report on a scheme of responsible government for the territories. This committee, however, failed to report.

Up to 1886 the open system of voting prevailed in the territories. In that year a committee of five elected members —Secord, Perley, Hughes, Cayley, and Ross—prepared an amendment to the lieutenant-governor's proclamation of 1881 relating to elections. In November the council memorialized the Dominion government to introduce the ballot.

In his speech to the council at the opening of the session, October 14, 1887, Lieutenant-Governor Dewdney stated that the Dominion government contemplated changes in the constitution of the government of the North-West Territories, and desired the members of the council, from their knowledge of the wishes of the people and the requirements of the country, to propose some inexpensive form of government that would give the people a greater control over the

[1] *Journals of the Council of the North-West Territories of Canada*, 1886, p. 15.

management of their affairs. On motion of Ross, all the elected members of the council were chosen a committee to draft a memorial to the Dominion government on the formation of a new constitution. Although one nominated member, Hayter Reed, was subsequently added to the committee, yet this report virtually represents the judgment of the people's representatives upon the method of government during the previous decade. After criticizing the existing method of introducing legislation into the North-West council and of dealing with public funds on the ground that it yielded an ill-considered and inconsistent body of legislation and excluded the people of the country from any control over the disposal of public money, the committee offered the following suggestions :

> (*a*) That the system of having appointed members in the Council be abolished, and that the Council hereafter be purely elective, in the first instance to consist of twenty-five members ;
>
> (*b*) That the members of the Council be elected for a term of four years and not for two years as at present ;
>
> (*c*) That the qualification of a voter in elections for the North-West Council be, that he is a male British subject, not an unenfranchised Indian, twenty-one years of age, who has resided for six months before the election in the electoral division in which he votes ;
>
> (*d*) That the Council be presided over by one of their own number ;
>
> (*e*) That the Lieutenant-Governor carry on his executive functions by and with the advice of an Executive Council of three, who shall be from time to time chosen and summoned by the Lieutenant-Governor and sworn in as Privy Councillors, and who shall hold seats in the North-West Council.

The committee suggested the allotment of thirteen electoral districts to Assiniboia, eight to Alberta, and four to Saskatchewan.

The session of 1887 proved to be the last session of the North-West council. On October 31, 1888, in response to the summons of Lieutenant-Governor Royal, was convened the first legislative assembly of the North-West Territories.

In the constitution of this assembly were embodied some, but not all, of the proposals suggested by the committee of the North-West council. The existence of the legislative assembly, however, signified that the people of the North-West Territories had gained a more complete self-government. Every section of the territories was now represented.

The Struggle for Responsible Government 1888-97

The Advisory Council.—With the granting of representative government an important step had been taken towards the struggle for complete self-government that lay immediately ahead. Every part of the territories could now be enlisted in that contest. But what was of no less significance in its bearing upon the coming struggle was the circumstance that the other great problems of the territories had been solved. The foundations of the school system had been laid ; a scheme of municipal organization had been devised ; a judicial system had been instituted. The crushing of Dumont and Riel had removed all possibility of serious menace from Indian and half-breed. The construction of the Canadian Pacific Railway opened up a way for settlers to come into the country, and offered access to a market for their crops. The problem that remained unsolved was not the establishment of institutions but the settlement of the country. The wise and liberal expenditure of money by men acquainted with local conditions would invite settlement and retain those settlers who might come ; but the Dominion government controlled the purse, and the representative of that government in the territories was the lieutenant-governor. A struggle with the lieutenant-governor was inevitable.

Of the twenty-five members of the first legislative assembly no fewer than sixteen were born in Ontario and were familiar with the story of the struggle for responsible government in that province. J. F. Betts, of Prince Albert, who was born at Sterling, Ontario, in 1854, had in 1879 come to the district he now represented as a conservative. Dr R. G.

Brett, of Red Deer, was born in Ontario in 1851, and had been professor of materia medica and therapeutics in the Manitoba Medical College. In politics a conservative, he claimed to be a strong believer in more power for the North-West government, a licence law *by* the people, a fixed revenue *per capita*, and a fixed revenue in lieu of lands. H. S. Cayley, of Calgary, born in Toronto in 1858, was engaged in law and journalism, owning and editing the Calgary *Herald*. A conservative in politics, he favoured high licence and local responsible government for the territories, and believed that the land policy of the territories should be framed entirely to offer the best possible inducements to immigration, and that the Dominion government should set aside a large amount of land in the North-West to endow the future local government of the country with a revenue. James Clinks-kill, of Battleford, born in Glasgow, Scotland, in 1853, was a conservative with a policy in favour of developing the northern part of the territories by means of railways. G. S. Davidson, of Qu'Appelle South, was born in Ohio in 1850, and was now engaged in the hotel business and farming. He announced his policy in the watchword 'North-West First.' James Hoey, of Kinistino, born in Kilkenny County, Ireland, had lived in Ontario; in politics he claimed to be a liberal-conservative. D. F. Jelly, of North Regina, born in Dorchester, Ontario, in 1847, had been a school-teacher in early life, but was now engaged in farming. John Lineham, of Calgary, born in Perth, Ontario, in 1858, was a stock-dealer; politically a conservative, he believed in 'high licence, in local responsible government, that all vacant public lands should be handed over to the territories to deal with, and that every inducement should be offered to immigrants to settle here.' Hillyard Mitchell, of Batoche, was an Englishman by birth; in early days an officer of the Hudson's Bay Company, he now owned a grist-mill at Duck Lake. J. R. Neff, of Moosomin, born in Wentworth County, Ontario, was a farmer on a large scale, and in politics a conservative. Frank Oliver, of Edmonton, as stated before, was born in Peel County, Ontario, and was publisher of the Edmonton *Bulletin*; politically, to use his own expression, he was 'inde-

pendent.' William Plaxton, of Prince Albert, was born in Toronto, and claimed to be independent in politics. Joel Reaman, of Wallace, born at Woodbridge, Ontario, in 1841, was a grist-mill owner and farmer and a conservative. B. J. Richardson, of Wolseley, born in York County, Ontario, was in politics a liberal-conservative, 'having unbounded faith in the North-West and in its future greatness; believing in every effort possible being made to develop the resources of the North-West, in assistance to agricultural societies, and in the maintenance of a thorough national educational system; personally a prohibitionist, but favouring a speedy settlement of the liquor question by a ballot vote of the people.' John Secord, of South Regina, born at Niagara, Ontario, was town clerk of Regina. In politics he was a liberal-conservative, advocating a vigorous immigration policy, the establishment of local self-government, a progressive school policy, a liberal land policy, and the encouragement of railway construction. William Sutherland, of Qu'Appelle North, born in Ottawa, 1854, was a general merchant and in politics a conservative. A. G. Thorburn, of Whitewood, born in Edinburgh in 1836, was a merchant and claimed to be an independent. J. G. Turriff, of Souris, born in Little Metis, Quebec, was a merchant, stock-raiser, and notary public. He was a 'Liberal favoring commercial union with the United States, the reduction of the price of pre-emptions to $1.00 per acre, the extension of branch lines, manhood suffrage, and the ballot; a Prohibitionist, but in favour of deciding the liquor question by a vote of the people.' Thomas Tweed, of Medicine Hat, was born in Kingston, Ontario, in 1855. He was a conservative in Dominion politics. Dr H. C. Wilson, of Edmonton, the first speaker of the assembly, was born in Picton, Ontario, in 1859. The two other members were J. H. Ross and F. W. G. Haultain; the former was liberal, the latter a liberal-conservative opposed to the introduction of party lines into the assembly, a firm believer in self-government for the territories, and opposed to prohibition in any form. Haultain and Ross constituted a more than ordinarily happy combination of the academic man of opinions with the man of affairs who realizes

his convictions in actions. During the next decade the co-operation of Ross and Haultain admitted of few blunders in speech and strategy, and substantially furthered the cause of responsible government, as Walter Scott (afterwards premier of Saskatchewan), when reviewing this period in the Regina *Leader*, September 30, 1897, wrote :

> The House at once recognized Mr Haultain as the representative chief of the Council. He was one of the youngest members in legislative experience, as he was also in years. He quickly took his place as one of the best debaters in the House, and from the very first exhibited abilities, both critical and constructive, of very high order. He speedily developed what might be termed legislative acumen. Imperturbable always, with a well-trained legal mind, and having a good grasp on the principles of law and of British institutions, and furthermore possessing a firm belief in the rights of the people as regards those institutions, Mr Haultain almost from the moment of his entrance was looked to as a leader in the House ; and in the stirring, exciting, and, at times, bitter events which marked all the sessions, except the initial one, of that first Legislative Assembly, he became the chief spokesman and acknowledged leader who championed the cause of democracy against the tenacity of bureaucracy. Punctiliously honest, possessing political courage which has stood the test in more than one severe trial, and being imbued with a progressiveness which is wholly free from any tincture of ' splurge ' or recklessness, it is scarcely possible to imagine one better qualified to occupy the place which he has occupied in the period of evolution through which this young country is passing.

To understand fully the nature of the constitutional struggle that was fought out by these members of the first legislative assembly, and which was simply a continuation of that struggle waged under the leadership of Ross, Oliver, and the other elected members during the existence of the North-West council, it is necessary to remember that the real government of the territories was from Ottawa. Powers were given, but they had to be struggled for, and the recognition of this fact only strengthened the resolve to struggle.

The questions that forced themselves upon the attention of the legislative assembly were incidental to the needs of a young country vast in area and sparsely settled—the enforcement of prairie fire ordinances, the inauguration of measures against gophers, the construction of colonization roads, mains, trails, and bridges,[1] the encouragement of the exportation of cattle, the planting of trees, the establishment of creameries and cheese factories, the distribution of seed-grain to settlers who had lost their crops, the drafting of memorials to the Dominion government upon the extension of the term of payment for pre-emptions, and upon irrigation, schools, construction of railway branches, exorbitant freight charges, power to legislate in respect to intoxicating liquors, and the disallowance of territorial ordinances. The main energy of the legislative assembly, however, was devoted to a constitutional struggle—the contest for self-government, the movement that had brought the assembly into existence.

The North-West Territories Amendment Act of 1888 assigned with certain additions the powers and duties that had hitherto belonged to the council of the North-West Territories to the legislative assembly. It gave to the territories completeness of representation, and also a fuller measure of responsible government. In the North-West council the lieutenant-governor had presided over and voted with both nominated and elected members. In the first legislative assembly three judges of the Supreme Court of the North-West Territories sat as legal experts. The lieutenant-governor, however, possessed neither seat nor vote in the assembly, which was presided over by a speaker chosen from their own number by the elected members.

A new departure was the creation of an advisory council for ' matters of finance.' The exact nature of the functions of the council became the subject of sharp debate in the sessions of 1889 and 1890. The majority of the assembly found itself completely at variance with the lieutenant-

[1] The Dominion government was asked to appropriate special sums on the following trails: from Macleod to Calgary, from Calgary to Edmonton and Athabaska Landing, from Swift Current to Battleford, from Qu'Appelle to Prince Albert.

governor in the interpretation of sections 13 and 14 of the amendment act of 1888 :

> Section 13. The Lieutenant-Governor shall select from among the elected members of the Legislative Assembly four persons to act as an Advisory Council on matters of finance, who shall severally hold office during pleasure ; and the Lieutenant-Governor shall preside at all sittings of such Advisory Council and have a right to vote as a member thereof and shall also have a casting vote in case of a tie.
>
> Section 14. The Legislative Assembly shall not adopt or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended to the Assembly by message of the Lieutenant-Governor in the session in which such vote, resolution, address or bill is proposed.

At the opening of the first session of the first legislative assembly in October 1888, the new lieutenant-governor, Joseph Royal, who as member of the first legislative assembly, and subsequently as speaker and minister, had been closely identified with the constitutional development of Manitoba, expressed his confidence that in the progressive evolution of the present constitution towards thoroughly representative government, the members would find him in full accord with their legitimate aspirations. He, however, was soon to discover that his new sphere of duty lay not in a province but in territories. His was a dual office, with obligations to the Dominion government no less, perhaps more, than to the legislative assembly. That he should have conceived it his duty to carry out instructions received from Ottawa is not to his discredit. Nevertheless, it necessitated thwarting what was coming more and more to be the popular will of the territories.

The lieutenant-governor selected for his advisory council Haultain, Jelly, Sutherland, and Mitchell, and he availed himself of their assistance in preparing the estimates to be submitted to the Dominion government. His message asking for supply indicated clearly to the legislative assembly

that the principle for which Ross, Oliver, and other elected members had contended in the days of the North-West council—the control of the purse by the people—had been conceded. It was not to be expected that a privilege of such import once granted would be surrendered without a struggle. Trouble was sure to arise when the lieutenant-governor, inspired, it was believed, from Ottawa, receded from the position he took in 1888.

On December 10, 1888, the assembly drafted a memorial to the Dominion government deploring the circumstance that there was no permanent responsible body to prepare legislation for its consideration. It also pointed out that the North-West Territories Act had not clearly given the assembly that control over the Dominion grant to which it believed itself entitled. It was not suggested that there was no continuous government of the country, or that the rule of the lieutenant-governor was faulty. But the government that did exist was neither continually in touch with all sections of the territories nor in the slightest degree responsible to the electors. Nor was it claimed as yet that the Dominion government was inadequate. The members elected to represent the territories grew restive under a Dominion grant dispensed by a Dominion official. The grant assumed the character of a dole; the official seemed a despot, benevolent perhaps, but none the less irresponsible as far as any control on the part of the territorial members was concerned.

In the sessions of 1889 it became apparent that there was a radical difference of opinion between the lieutenant-governor and the assembly with regard to the extent of the powers and responsibility of the advisory council. The lieutenant-governor refused to give the assembly a complete statement of public accounts on the ground that he was not responsible to it for the disposition that had been made of the Dominion grant. Pending the transmission of the estimates to the minister of the Interior, he would not consent to lay them before the assembly. The point at issue was not a question of fact but of right, for on October 23, 1889, Haultain stated in the assembly that the lieutenant-governor was in

the habit of asking the council to assist in preparing these estimates. Nor did the lieutenant-governor deny that the advisory council had control over the territorial revenue, and in the disposition of it was responsible to the assembly that voted it and gave authority for its expenditure. It was further admitted by both the lieutenant-governor and the members of the assembly that the advisory council should exercise the functions of an executive in the discharge of the duties assigned by the ordinances to the lieutenant-governor in council. The lieutenant-governor was also prepared to consult the council[1] in all matters pertaining to the administration of public affairs. He claimed, however, that the law required him to expend the Dominion grants under the direction of the Dominion government, and not under that of the assembly. The efforts that he had made while a member of the Manitoba government to secure a readjustment of the financial arrangements between that province and the Dominion government had forced him to study carefully the whole question of Dominion grants. The disposition of this grant was for the lieutenant-governor a purely departmental affair upon which he might, if he felt so inclined, consult his advisory council. According to his view, the council might have the privilege, but certainly not the right, to tender advice. That the advisory council itself did not concur in this interpretation of its function was shown on October 29, 1889, by the resignation of all its members :

> We therefore tender our resignation because we cannot continue to work under a system in which our most important powers are only granted to us in the form of concessions, and because we are unwilling to accept responsibility without a corresponding right of control.[2]

A week later the lieutenant-governor announced to the assembly his selection of a new advisory council—Brett, Betts, Richardson, and Jelly.

[1] Statement to the assembly by Brett, November 5, 1889.

[2] A specific instance where the lieutenant-governor had acted contrary to the advice of the council was the granting of the government printing to the Regina *Leader* without tender.

But if the first advisory council experienced difficulty with the executive, the new one had a serious difference with the assembly. The first council resigned because the lieutenant-governor did not consider himself bound by its advice in cases where such advice had been asked. In accepting office the new council concurred with the lieutenant-governor's views and therefore earned the displeasure of the assembly. As Thorburn stated on a later occasion, the relationship between the advisory council and the lieutenant-governor was of more importance than that between the lieutenant-governor and the assembly. The majority claimed that it was the function of the advisory council to advise the lieutenant-governor. They felt, however, that the relation was now reversed, and that the lieutenant-governor was advising the advisory council. The assembly accordingly strongly objected to the action of Dr Brett and his colleagues in proposing to surrender on behalf of the assembly the right of control over the Dominion grant which the assembly had exercised during the previous session. On November 9 Clinkskill moved a vote of want of confidence in the advisory council.

In passing this vote of want of confidence the assembly asserted not so much the right of the advisory council to control these funds as the right of the assembly to control, not only the funds, but the advisory council as well. The members of the advisory council tendered their resignations. The lieutenant-governor, however, declined to accept them, on the ground that it could not be alleged that they had failed to secure the support of the assembly when they had not yet attempted to perform their first executive act. This failure came on November 14, when the assembly, on motion of Haultain, refused to vote the estimates. This result, however, was not reached before both parties in the struggle had given a remarkable exhibition of adroit parliamentary manœuvring. When the order of the day was read to go into committee of supply, Secord of the minority party moved in amendment :

> That the Assembly recommend to His Excellency the Governor General in Council that full responsible govern-

ment should be given to the territories with the other powers in addition to those already possessed by the Assembly granted by the British North America Act to the Province of Canada with the exception of the power to raise money on the public credit.

To put the majority in a dilemma the minority had used the house rule that only one amendment to the motion to go into supply is permissible at a particular sitting. The amendment proposed by the minority voiced the sentiments of the majority. If the majority rejected the amendment they were put in the position of rejecting a proposition for which they had contended, of voting against the responsible government for which they were fighting. The house would then have passed into supply. This would have been equivalent to expressing confidence in the advisory council. Further, if the majority accepted the amendment, the house would also have passed into supply, and no opportunity would have been given for a vote of want of confidence. In the ensuing debate Sutherland of the majority moved: 'That when this House adjourns it do stand adjourned until 4.15 P.M.' As the house had met only at 2.30 P.M., the carrying of this motion meant a second sitting the same afternoon. At 4.15 P.M. accordingly there was a new sitting of the house. When the order of the day to go into supply was again read, Haultain moved in amendment that the house should not consider any further supply to be granted to Her Majesty until the supply voted the previous year was properly accounted for. The amendment carried, and the advisory council, having now failed in their executive capacity, once more pressed their resignations upon the lieutenant-governor. They were accepted on November 16, 1889.

The lieutenant-governor now approached Clinkskill, and then Tweed, Cayley, and Neff, with the object of forming an advisory council which would be in accord with the majority of the assembly. After a consultation with the other members of the assembly, these members presented to the lieutenant-governor a memorandum containing the

propositions upon which alone a council might count upon the support of the majority :

> (1) Full account of 1888-1889.
> (2) That the Estimates to be communicated to the Assembly contain the full amount of the Dominion vote for territorial purposes for 1889-1890.
> (3) That all the moneys, both Federal and Territorial, are to be voted by the Assembly and expended by the Advisory Council.

The lieutenant-governor refused to yield. His attempt, therefore, to form an advisory council that could command the confidence of the assembly proved abortive.

The struggle was not confined to the house. It furnished the chief topic of discussion for the territorial newspapers. The Regina *Leader*, under N. F. Davin, supported the lieutenant-governor. The Edmonton *Bulletin*, with Frank Oliver as editor, took up the cause of the majority in extreme language :

> It is an insult to the intelligence and common sense of our best men for the Federal Government any longer to keep the North-West in swaddling clothes. (*November* 9, 1889.)
> The fight is an old one, for a greater measure of self-government, fought out in different ways and at some period of their history by every enlightened people in the world. The rights the people of the West are now asking through their representatives on the floor of the House were demanded at the point of the bayonet by Mackenzie and Papineau in Eastern Canada over fifty years ago. (*November* 30, 1889.)
> What the majority of the Assembly demand is simply that the financial control now assumed by the Lieut.-Governor should be vested in the representatives of the people. (*February* 22, 1890.)

The assembly had given expression to its protests by refusing to vote the territorial estimates. It now withdrew the powers previously granted to the advisory council under the ordinances. Under British constitutional pro-

cedure the executive body reflects the views of the representatives of the people, and under the impression that the advisory council constituted such an executive body, the assembly had adopted the policy of strengthening its hands. Dr Brett and his associates had accepted functions similar to those exercised by the cabinet of the president of the United States. They interpreted their function to be that of carrying into execution the will of the lieutenant-governor. This necessitated a change of attitude to the advisory council on the part of the assembly. It now sought to curtail the functions of the advisory council so far as lay within its power.

On November 21 the assembly prepared a memorial to be laid before the minister of the Interior with respect to the existing form of the government and the character of the financial arrangements in the territories :

> This Assembly, therefore, after a trial reaching well into the second year, is forced to the conviction that the present system of government in the Territories is defective, and desires to repeat its recommendation of last year, and the recommendation of the North-West Council of previous years, in favour of full control of the finances of the Territories, that is, that the money voted yearly by the Dominion Government for governmental purposes in the North-West Territories be given to the representatives of the people of the North-West Territories.
>
> The Assembly does not ask for the abolition of the Advisory Council, although if the number of Councillors were reduced to three, it thinks that would be sufficient, but it asks that the Advisory Council should be paid, that the Lieutenant-Governor should not be a member of it, and that it should be definitely declared that the Dominion grant is to be expended only on a vote of the Assembly.

The action of the assembly in passing on the same date an ordinance to amend the interpretation ordinance shows clearly the changes that it was seeking to introduce. The amending ordinance required the advisory council to be appointed by the assembly instead of by the lieutenant-governor, and to consist of two instead of four members.

According to the existing statute, the lieutenant-governor acted on the advice of a majority; the ordinance required the consent of both members of the council to every act of the lieutenant-governor. The tenure of office was prescribed by the statute as 'during the pleasure of the Lieutenant-Governor.' The ordinance made it subject to the pleasure of the assembly. Tweed and Neff were indicated as the first two members to constitute the new advisory council. In January 1890, on the advice of the minister of Justice, the Dominion government disallowed the ordinance as inconsistent with the Dominion statute.

Lieutenant-Governor Royal was convinced that not only the act defining his own office, but the carrying out of certain ordinances, required him to have an advisory council. He was desirous, moreover, that the council should possess the confidence of the assembly. The assembly, however, proved as uncompromising as himself. He was therefore[1] 'obliged to select a council from amongst those willing to comply with the law irrespective of the fact whether they possessed the confidence of the House or not.' During the recess, accordingly, he selected for his advisory council Brett, Betts, Richardson, and Secord. These gentlemen assumed office in order that the terms of the law might be observed. They were not without sympathy for the constitutional position taken by the majority, but they thoroughly disapproved of what seemed to them the lawless tactics of that party. They co-operated with His Honour in his attempt to carry out the terms of the Dominion law which called for a council. The majority also realized that their struggle with the lieutenant-governor was not so much a personal quarrel as a contest between the territorial assembly and the representative of the Dominion government.

Lieutenant-Governor Royal's actions met with slight approbation in the territories. A public meeting at Medicine Hat on June 5, 1890, adopted the following resolution:

> That it is desirable that a modified form of responsible government be granted to the Territories, to the extent at least of the Lieut.-Governor being placed in the same

[1] Message to assembly, November 14, 1890.

position as Lieut.-Governors of Provinces in the matter of having to act upon the advice of his Advisory Council, the Advisory Council to enjoy the confidence of the Legislative Assembly, and the finances of the Territories to be at the disposal of the Legislative Assembly.

In his speech at the opening of the session of 1890 the lieutenant-governor made no reference to the friction existing between him and the assembly regarding the advisory council. It soon became evident, however, that the assembly was determined to pursue the struggle. Caucuses were held in hotel bedrooms. Measures which the members of the advisory council introduced were promptly amended or defeated by the ' Noble 13 ' or ' Notorious 13,' as the majority came to be called. They were entirely excluded, not only from the special committee to strike a standing committee, but from even the standing committees as well. When Secord moved for leave to introduce a bill respecting life insurance, Haultain, in a speech which called forth an indignant protest from Betts, said : ' It takes the honourable gentleman a long time to learn things. He ought to have understood by this time that he is simply wasting the time of the assembly in making any motion or introducing any bills. We don't oppose his bill. It may be a very good bill, but so long as he continues to place himself at variance with the wishes of this assembly we do not intend to let him exercise the rights of this House.'

The assembly also announced its determination to refuse leave to introduce motions on questions of finance so long as the lieutenant-governor chose to disregard the advice of the majority of the members on such questions ; it pointed out that the question of finance was involved in most subjects upon which the assembly was authorized to legislate. It especially protested against the position in which it was placed regarding schools. In the session of 1888 the assembly, believing that it possessed control of the grant in aid of schools, had made provision for the disposition of a certain proportion of the grant in extending assistance to new school districts. On the strength of this inducement many new districts were organized, taxation levied, and liabilities

incurred for the erection of schoolhouses. The benefit of the assistance depended upon its continuance. The promise of aid remained during the session of 1889 without any intimation that it would be discontinued. Additional school districts were formed. But in 1890, after the annual taxation rate had been struck on the basis of the grant promised by the assembly, the government of the North-West Territories issued a circular notifying the districts of a reduction in the amount of their grant. The assembly therefore protested against being held responsible to the people for proper legislation regarding schools when it was deprived of the control of the funds whereby alone that legislation could be given effect.

The assembly also took the occasion to criticize the administrative efficiency of the existing advisory council. The standing committee on Agriculture and Immigration, to which had been referred the documents relating to the engagement of C. E. Cullen as immigration agent of the North-West Territories, reported :

> There seems to have existed, in relation to this most important matter, a carelessness, an easy-going indifference to the interests of the North-West, on the part of the Advisory Council, that is far from being commendable.

When the lieutenant-governor submitted the territorial estimates for the year ending June 30, 1891, they were simply laid on the table and were given no further consideration.

In an address to the lieutenant-governor which, though approved, was not presented, the assembly before prorogation made a final statement of its case. It found fault with the lieutenant-governor for 'interposing your Honour's power as Administrator of the North-West Government between the people of these Territories and what appears to us to be a proper control by them of the monies appropriated by the Parliament of Canada for the purpose of their local government.' It based its claim to control on :

> 1. The intent expressed in plain terms by the title of the vote in Parliament.

2. The necessities of the case as it affects the people of these Territories through the legislation of this Assembly.
3. The absolute right of the people of the North-West Territories—according to the scheme of Confederation—to the full control of their own funds.

The assembly also replied to the lieutenant-governor's claim that because he could not agree with the majority in the matter of the control of the Dominion grant, he was compelled to govern and administer the revenues of the territories on the advice of a minority of the house in defiance of the expressed wish of the majority :

> As we understand the Act, it provides that government shall be on the responsibility of the House, which we can only believe means the majority of the House, and that government by minority against the expressed wish of the majority is a direct violation of the intent of the Act. As we understand the sections of the Act already quoted, Your Honour may govern under the instructions from Ottawa (in cases when for any reason you cannot act with the House) or by and with the advice and consent of the Legislative Assembly ; but we can find nothing to show that Your Honour is empowered to govern with Advisers responsible only to yourself and independent of both the Ottawa Government and this House, which is the position Your Honour appears to take.

During the session of 1891 the Dominion parliament passed important legislation amending the North-West Territories Act. This granted much for which the assembly contended, giving it power to make ordinances in relation to the expenditure of territorial funds and those portions of the Dominion appropriation to the territories which the lieutenant-governor was authorized to spend in concurrence with the legislative assembly or any of its committees. The legal experts were removed from the assembly. Certain appropriations were transferred to the control of the local authorities.[1] The

[1] The schedule of these appropriations adopted in 1891 included the travelling expenses of officials, cost of elections, stationery, telegrams, subscriptions to newspapers, management of four well-boring machines, schools other than those in unrepresented territory, roads and bridges, printing and advertising, including translation and publishing of ordinances, publication of magistrates' returns, and the purchase of books for the territorial library.

assembly now possessed absolute power of legislation in respect to all territorial funds and to federal funds set apart to be dealt with by the territorial ordinance.

Previous legislation defining the position of the advisory council, section 13 of the act of 1887, however, was not repealed. There remained, then, some doubt as to whether the advisory council, which had been in existence at all events until the dissolution of the late assembly, had now been abolished. In response to a request from the department of the Interior for an opinion as to the status of the advisory council, the department of Justice, under date of December 7, 1891, explained why the repeal of section 13 of the act of 1887, which would have resulted in the immediate abolition of that body, had not taken place. It was apprehended that confusion might arise from the circumstance that existing ordinances imposed certain duties on the lieutenant-governor acting by the advice of the advisory council. In view of the approaching territorial elections, an interval must elapse before the new assembly could enact ordinances devising new methods of managing the finances of the territories. In giving the assembly the exclusive power to deal with questions of territorial finance, the act, by implication, granted the assembly the power to repeal section 13 of the act of 1887 which created the advisory council. The assembly was now free to authorize the expenditure of public money either with or without the advice of an advisory council or through a finance committee, or any other functionaries it might appoint, or by its own express vote. In concluding his report the deputy minister of Justice expressed the doubt whether, in view of the new powers with regard to finance which had been conferred on the assembly, the lieutenant-governor should appoint a new advisory council. He considered it not improbable that at its approaching session the assembly should adopt legislation which would dispense with the authority and functions of such a body. In view of this opinion the lieutenant-governor, on December 15, 1891, announced to the assembly that it was not his intention to appoint an advisory council 'unless such appointment should in the opinion of the assembly become necessary

in order to enable it to effectually exercise the powers conferred upon it. Should such an opinion be expressed by the assembly, His Honour will be glad to accede to its wishes in the matter of an appointment.'

The Executive Committee.—Though the assembly had rendered the existence of the advisory council nugatory, it must not be inferred that the assembly did not desire an executive body. The majority of the members were eager to retain some such body as the advisory council as their servant, perhaps even as their leader, but never as their master. Moreover, nothing could prevent the election of a committee from among their number to execute their will; just as nothing could prevent the lieutenant-governor from choosing an advisory committee from among the minority. For the successful working of the machinery of government these two committees must be identical. With popular opinion aroused within the territories no concession could be expected from the majority in the assembly; if either party yielded, there could be no doubt that the victory would not rest with the lieutenant-governor. He, moreover, was not waging a personal fight. He was acting under instructions of the Dominion government. It was clear that relief must come from Ottawa.

Both the Dominion government and the territorial assembly now took a hand in constitution-making. According to chapter 22 of the act of 1891, the parliament of Canada vested the executive government of the territories in the lieutenant-governor acting under instructions from the governor-general in council or from the secretary of state, with a committee composed of members of the legislative assembly. On December 24, 1891, the assembly passed 'An Ordinance respecting the Executive Government of the Territories.'

According to this ordinance this executive committee was to consist of four persons, at least, chosen by the lieutenant-governor from the members of the legislative assembly. Though the functions of the executive committee under the act of 1891 were limited to matters of finance, the ordinance contained much more extensive provisions. 'There shall be

a committee to aid and advise in the government of the territories so far as the same is vested in the lieutenant-governor and the legislative assembly.' To give the executive committee the capacity to advise the lieutenant-governor on all matters connected with his duties of office and not merely on matters of finance and expenditure was beyond the power of the legislative assembly. Though a statement[1] to this effect, and an intimation that the fact of having advisers on the general affairs of government did not relieve him from the responsibility of conforming to the statutes of Canada in all matters relating to the government of the North-West Territories, were received from Ottawa by the lieutenant-governor, he nevertheless gave his consent to the ordinance.[2]

The first executive committee was composed of Haultain, Clinkskill, Neff, and Tweed, a member from each district, Alberta, Saskatchewan, East and West Assiniboia. It concerned itself especially with the annual appropriation made by the parliament of Canada for the government of the territories and with the deficit in the amount required for schools. One member of the executive committee took up his permanent residence at the seat of government to exercise constant oversight over the public business of the territories. This was a great stride in the direction of responsible government. The premier, as the resident member came to be called, could now be held responsible for the conduct of public affairs.[3] Haultain was the first to occupy this post.

The committee not only supported the memorial of the legislative assembly by forwarding memorials of its own, but also in the beginning of March 1892 sent Haultain to Ottawa to confer with the government with regard to the financial claims of the territories.

Though the government decided against giving the territories a provincial status by granting a subsidy, yet it accepted

[1] Report of the minister of Justice to the Privy Council, September 29, 1892.

[2] The power of the lieutenant-governor was limited to approval or reservation, the right to withhold assent being beyond his jurisdiction. See *Journals of Legislative Assembly*, vol. x. p. 94.

[3] On August 29, 1885, the Edmonton *Bulletin* had complained: 'Of the power held by the Council up to the present time the Lieut.-Governor by irresponsible control of the executive between sessions held fully half.'

Haultain's suggestion that, instead of an itemized vote for the territories, parliament should vote a lump sum for the expenses of government in the territories. This transferred to the control of the assembly a bulk sum of $193,200.[1] While the amounts for each service had been previously specified by an itemized vote and had to be expended upon the service indicated under penalty of lapsing, now the whole amount of the lump vote was available for any purpose. The assembly could use its discretion in apportioning the Dominion grant to the actual necessities of the territories. Thus real power was put in the hands of the committee. As a result of Haultain's representations to the minister of the Interior, parliament also voted the sum of $26,700 as a supplementary vote for schools.

At the conclusion of the recent session, Clinkskill, a large number of whose constituents were Roman Catholics, had resigned as a protest against a measure introduced by Haultain to provide for a uniform inspection of schools. His seat was taken by Cayley, who became acting premier during Haultain's absence in Ottawa. Upon Haultain's return in June, Cayley, who was not without ambition, resigned and formed a party in opposition to Haultain. Mitchell of Duck Lake was appointed to fill the vacancy on the executive committee as representative of Saskatchewan, which during Cayley's lease of office had been left unrepresented. When the assembly met, opposition to the policy of the executive committee manifested itself. This found expression on August 24. On Haultain's motion to go into supply, Betts moved :

> That the conduct of the executive committee towards the district of Saskatchewan and in other respects has been such as to destroy the confidence of the House in the committee in their capacity as advisers to His Honour the lieutenant-governor.

After an animated debate Betts's motion carried by a vote of thirteen to twelve. When Haultain once more proposed a

[1] It was for the following services : schools, light and fuel, legislative hall, elections, travelling expenses, roads and bridges, clerical assistance, contingencies, printing and advertising, newspapers, well-boring machines, caretakers and messengers, stationery, telegrams, etc., and advertising sittings of the court.

motion to consider the supply, a second motion on the part of Betts—'The executive committee does not retain the confidence of this House'—again carried by a similar vote. On the following day Haultain informed the house that the lieutenant-governor had accepted the resignation of the executive committee.

The concluding days of the session are remarkable in the history of parliamentary procedure. On August 29 Cayley announced that the lieutenant-governor had chosen as executive committee Cayley, McKay, Mowat, and Reaman. It immediately became evident that the new executive committee were not in a position to carry through their legislation. On the motion for the second reading of a bill to amend and consolidate the game ordinance, Haultain moved that the bill be referred back to the committee for certain amendments. Haultain's amendment carried, but not before J. H. Ross had actually come down from the speaker's chair to vote with the yeas. On the following day Ross again left the chair, which was taken by Sutherland, the deputy speaker, and spoke from the floor of the house

> In resigning the Chair of this House, I desire to make the following statement : I was elected Speaker of a House to which a large majority of those who for two years previously had been struggling for responsible government had been returned ; as one of the party which has been engaged in that struggle and had been successful at the late general election I reasonably expected that any Advisory Council or Committee which might be formed would be composed of those and those only who had belonged to that party. Being in perfect accord with the majority of the House as to the course which would be pursued in regard to responsible control of our affairs, and to that item of expenditure, the Roads, Bridges and District vote, with which every electoral district is more directly concerned, I was satisfied that the general rights of the Territories, as well as the particular interests of my own district, would be fully protected.
>
> In view of the defeat of an Executive advocating the principles which I had struggled for longer than any other member of this House, and the success of a party evidently, indeed necessarily, opposed to those principles,

> I feel that, in duty to myself and my constituents, I must place myself in such a position as to be able by voice and vote to advocate those principles and protect the interests of those who elected me to this House. I now resign the position of Speaker of this House.

Sutherland then left the chair and announced to the house his resignation as deputy speaker. This necessitated the election of a new presiding officer. On the next day, Cayley, leader of the executive committee, nominated Sutherland as speaker. The Journals thus describe what followed: 'And the question being put by the Clerk, the members divided, and the votes being equal, the Clerk declared that no election had been held. And the Clerk having left his seat at the Table, the members dispersed.' The session thus somewhat unceremoniously ended by the members was formally concluded by the lieutenant-governor on the day following through prorogation by proclamation.

During the short recess that ensued, the deadlock was broken through the death of Joel Reaman and the election in his stead of Insinger, a Haultain candidate. In the same interval was received from Ottawa the report of the minister of Justice to the effect that ordinance No. 1 of 1891-92, which had defined the status of the executive committee, was *ultra vires*. Cayley informed the house at the opening of the session that in consequence of the report the executive committee had tendered their resignations and that the lieutenant-governor had accepted them. Ross consented to become speaker again and was unanimously elected to that position.

The next executive committee was appointed on the floor of the house. Haultain moved that a committee of four members be appointed to advise the lieutenant-governor in relation to the expenditure of territorial funds, and 'such portions of any money appropriated by the parliament of Canada for the territories as the lieutenant-governor is authorized to expend by and with the advice of the legislative assembly or of any committee thereof.' Thereupon Campbell moved that Haultain, Neff, Tweed, and Mitchell form this committee. It was moved in amendment by Clinkskill 'That the committee be so composed that repre-

sentation shall be given to both parties that have recently existed in the assembly.' The amendment failing to carry, Haultain, Neff, Tweed, and Mitchell became the committee for financial matters.

In order to keep within the minister of Justice's interpretation of the act of 1891, this committee was elected to deal only with matters of finance and expenditure. It was, however, not the intention of the assembly that the functions of the committee should remain thus limited. On December 19 the following resolution, on motion of Haultain and Tweed, was transmitted by telegram to the prime minister and the minister of the Interior :

> That this House claims the right of the House through its committee, to advise the lieutenant-governor in relation to all executive acts and appointments made necessary by territorial ordinances.

A few days later Haultain introduced a bill to repeal the ordinance respecting the executive government of the territories which had been declared *ultra vires*. In its stead was passed a bill respecting expenditure. By a resolution of the assembly on December 31 the committee—Haultain, Neff, Tweed, and Mitchell—which had been appointed by resolution of December 13 to advise the lieutenant-governor in relation to expenditure, became the executive committee of the territories under the ' Ordinance respecting Expenditure.' Certain functions which the assembly had imposed upon the executive committee it had been beyond the competence of the assembly to impose. The remedy it had found was simple but sufficient. It imposed these executive functions upon the committee for financial affairs. The lieutenant-governor was forced to accept the executive committee's advice in financial matters. The assembly had wrongly assumed that this financial committee could tender advice on every matter of government. What the assembly now did transformed the committee on financial affairs into a cabinet.

It had been the fate of Lieutenant-Governor Royal to be administrator of the North-West Territories during a

period of transition. He had been placed in a position the obligations of which seemed to him to involve, for a time at least, opposition to those who were eager to secure responsible government for the territories. His speech in proroguing the assembly for the last time is not only a tribute to the remarkable development in constitutional arrangements and to the untiring efforts of those who had engaged in the struggle, but bears testimony to his own lofty sense of responsibility in the discharge of the duties of his high office :

> At times our duty appeared to lie in opposite directions. It was mine to carry into effect what I considered to be the Law, as laid down by the Parliament of Canada, for regulating your share of the responsibility in the administration of public affairs, and, whilst you claimed to exercise a more complete control over the expenditure, that Law placed me in a somewhat invidious position of appearing to oppose the popular requests. Notwithstanding this controversy, no unpleasantness ever arose between me and the Assembly.
>
> When, on the 4th July, 1888, I was sworn in as Lieutenant-Governor of the North-West Territories, the functions of that office were as totally different from those of the Lieutenant-Governors of the Provinces as they will be from those to be performed by my successor. I was responsible to the Privy Council of Canada alone for the executive acts done in the Territories. The Assembly had hardly a voice in the Government of the Country and the Lieutenant-Governor was practically a Political Commissioner under whose direct supervision and authority the affairs of the Territories were conducted and administered. Now all this has been changed materially, and hence my satisfaction. The Legislature to-day practically enjoys the rights and privileges of self-government.

In a memorial to the Dominion government drafted October 23, 1896, the legislative assembly, in suggesting amendments to the North-West Territories Act, presented a statement of its constitutional and financial position. It pointed out that restrictions imposed upon its legislation

extended not only to disallowance but also 'to any Act of the Parliament of Canada at any time in force in the Territories.' Even in subjects ostensibly reserved for its control parliament passed acts which operated to diminish the legislative power of the assembly. The memorial asked, not the immediate granting of full provincial status, but the power, subject to disallowance of its ordinances, 'to exclusively make laws in relation to matters already within its legislative jurisdiction.' 'They may point out,' the members urged, 'that during the last five years they have exercised most of the rights of provincial assemblies, and, in their opinion, have proved themselves equal to the task. They further are of opinion that the time has come that their executive government should be put on a firmer basis by substituting for the executive committee an executive council.' The assembly voices its reasons for dissatisfaction with existing machinery: while the assembly had the power to vote money for distinct services, the executive committee had no control over the carrying out of the measures projected. The functions of government could not be divided into departments with responsible heads. The executive committee possessed no right to advise the lieutenant-governor in matters not contained in ordinances. It had no voice in the appointment of justices of the peace, nor even in the convening and dissolving of an assembly.

In presenting its financial claims the assembly reminded the Dominion government that the parliament of Canada retained and administered, with power to sell or grant to railway companies, the assets of the territories, their public lands, their hay lands, their timber, and their minerals. Upon the territories devolved such important duties as education, the protection of the country against prairie fires, the building of roads and bridges, and all the necessities of local government. The increasing demands for expenditure on roads and especially schools had rendered the resources at the disposal of the territories utterly inadequate. In five years the population had increased fifty-six per cent, but in four years the annual grant had increased only sixteen per cent. The assembly asked that the Dominion grant should

be not only increased but rendered definite, and that 'the amount of subsidy should be fixed for a term of not more than four years.'

In the session of 1897 the parliament of Canada passed legislation giving the North-West Territories completely responsible government. The executive committee was replaced by the executive council. The members of the executive council could receive a salary, but on accepting office must submit to re-election. Their functions were defined to be 'to aid and advise in the government of the territories.' This act, which embodied the great constitutional principle for which the elected members had struggled for more than a decade, came into force on October 1, 1897.

But if much had been achieved, yet the process of constitutional development was still incomplete. The North-West Territories possessed a full measure of responsibility. They had still to gain provincial rights. The power to raise money on the public credit, to charter railways, and to administer justice with relation to criminal matters—these were to remain beyond the competence of the legislative assembly for eight years longer.

No mean record of achievement lay behind the people of the territories. With a formal political existence of little more than a quarter of a century, they had enjoyed a separate government for but two decades. It had not been till 1881 that the settlers obtained a voice in their affairs, and not till 1884 were the electors able to make their influence actually felt. The first expression of popular opinion had been on March 9, 1881, when the electors of the district of Lorne nominated Chief Factor Lawrence Clarke and Captain Moore as their candidates for the coming election. In the sixteen years that ensued, the public school, municipal, and judicial systems were established, the railway was constructed, the half-breed rising was quelled; and now on October 1, 1897, just at the moment when the territories were on the eve of a remarkable growth of population and economic development, the government of the territories, which for half a decade had given expression to the people's will, was made completely responsible in form, as it had been already in fact.

The Attainment of the Provincial Status 1897-1905

During the period that opened in 1897 the political life of the territories received a double impulse. The establishment of the executive council gave a government whose responsibility to the people was now as complete in form as for some years it had been in practice ; while the vigorous efforts put forth by the Immigration branch of the department of the Interior bore abundant fruit in a remarkable increase of population. The very success of the Dominion policy, however, created problems for the executive council. Had the newcomers evinced a disposition to attach themselves to settlements already in existence, the assistance they would thereby have rendered to local improvement and school districts would have operated to relieve the territorial government of the burden of what was properly municipal administration. The desire to secure homesteads along projected lines of railway or to purchase land where prices had not been enhanced by proximity to settlements, and the tendency on the part of small groups of colonists to form separate communities, inevitably resulted in the opening up of settlements that were entirely new.

The executive council was true to the principle that had brought it into existence. It was itself the embodiment and product of an aspiration for self-government, and a prominent feature of its activity was the promotion of local self-rule by a policy of fostering municipal organization. In its very first session it carried through the assembly a statute labour ordinance. In 1898 the local improvement ordinance adopted a system whereby the residents of an area approximately equal to a township were empowered to elect an overseer to superintend such local improvements as the construction and repair of the trails, the filling of sloughs, or the bridging of petty streams. In 1903 a new local improvement bill abolished all provision for statute labour and deorganized all local improvement districts of the township area. The unit of size for the new local improvement districts was four townships, each

township electing annually a councillor to represent it on the board of four councillors. In 1904 the legislature made financial provision to investigate the whole problem of municipal organization and administration. The system adopted in 1903, however, persisted till after the bestowal of provincial institutions.

The work of the Dominion government was completed when it had attracted the immigrants. The task of rendering the territories habitable, of supplying means of communication by the construction of roads, trails, culverts, and bridges, and of providing educational facilities, devolved upon the territorial government. The yearly increase in expenditure thereby entailed was out of all proportion to the growth of the population. The executive council had at its disposal territorial funds and a Dominion appropriation; but the retention by the Dominion government of all territorial assets rendered the former revenues as meagre as they were inelastic. To satisfy the growing demands of population no expedient was left but to ask for larger grants from the Dominion. Dominion policy was responsible for the influx of population; the Dominion government might reasonably be expected to bear the burden of increased expenditure for which that influx of population was responsible. But though the annual grant was doubled it proved hopelessly inadequate, and the financial necessities of the territorial government became the subject of repeated representations to Ottawa. The inability to cope with financial difficulties led to the demand for the larger revenues and greater powers incidental to the provincial status. During its early existence the constitutional aspirations of the territorial government did not go beyond the desire to maintain the integrity of the North-West Territories.[1] But in 1900 the executive council began

[1] On December 9, 1897, the assembly promptly defeated the amendment to add the words ' or Provinces ' to the following resolution :

> That in the opinion of this House the North-West Territories as they are at present constituted should be maintained intact for administrative purposes until the time has arrived for their entrance into Confederation as a Province.

When the Dominion parliament in 1898 cut off from the territories the Yukon Judicial District for purposes of separate administration the legislative assembly

an avowed agitation for the formation of a single province south of the 57th parallel of north latitude.

In a communication to the minister of the Interior under date of January 31, 1903, Haultain indicated how the agitation for increased grants begat the agitation for the superior status :

> In a letter addressed to you on January 30, 1901, I said ' that financial embarrassments rather than constitutional aspirations ' led us to request the full provincial powers. I might now say that we are driven by both reasons. Financial necessities have developed constitutional aspirations, but apart from the purely financial aspect of the case we demand that system of government under which we shall have as full opportunities for the exercise of our citizenship as our fellow-citizens in the Provinces. The local Government and Legislature should have full and free scope of action left to them on many subjects which relate to the prosperity and happiness of the country, and the North-West will not be satisfied until this is granted.

If the agitation for increased grants begat the agitation for the provincial status, the agitation for autonomy involved a sectarian controversy over the matter of separate schools, and a constitutional dispute over the interpretation of provincial rights. Intense bitterness was injected into discussions throughout the Dominion and especially into two by-elections in Ontario.

By the terms of the act that had constituted the executive council the members were obliged to submit themselves to their constituencies for re-election. Legislation which the assembly enacted for establishing and organizing the public service defined their functions. Upon them devolved the administration of the public departments created for the attorney-general, the territorial secretary, treasury, public works, agriculture, and public instruction. Haultain and Ross constituted the first executive council. Early in 1899 Bulyea was appointed as an additional member. In 1901 A. L. Sifton succeeded Ross ; in 1903 William Elliott replaced Sifton.

declared : ' That while the cutting off of the Yukon District may have been done in the general interests of the country, we cannot but view with apprehension any indication of a policy on the part of Parliament tending to the disintegration of the Territories as they are at present constituted.'

Strictly speaking, at no time during the existence of the territorial assembly did party politics along Dominion lines enter territorial affairs. It was felt that till autonomy was gained a solid front should be presented to the Dominion government in all negotiations and demands. Whatever opposition developed to Haultain's administration had reference solely to the policy of Haultain and his colleagues, and bore no relation to Dominion party politics. But while the assembly refrained from entangling itself in Dominion party issues, it refused to impose any formal restrictions upon the executive council. On April 30, 1900, it defeated a resolution which declared that it was detrimental to the best interests of the North-West Territories, as long as their present status existed, for members of the executive of this government to take any active part in federal politics. In the executive council itself were adherents of both parties. Haultain and Elliott were conservatives; Ross, Bulyea, and Sifton were liberals. From 1903 no effort was made to disguise the party sympathies of the various members of the council. Bulyea attended the liberal convention at Moosomin, Haultain and Elliott the conservative convention at Moose Jaw. At Moose Jaw resolutions were passed censuring the Dominion government for their neglect of the territories and demanding immediately full provincial autonomy. Another resolution to introduce party politics into the next territorial elections was strongly disapproved by Haultain and Elliott, but carried by a large majority. A month later Haultain explained to the legislative assembly his relation to the conservative party:

> I am in thorough union with it on all questions of principle. . . . The policy of that party and those principles have nothing whatever to do with my position in this House. The country may be satisfied that I will faithfully and sincerely and impartially do my duty and fulfil my trust on the lines I have given time and time again to my constituency, to my colleagues, to the House and to the people of the Territories generally.

Though Bulyea subsequently claimed that his position in Haultain's government became 'an uncomfortable and almost

impossible one,' he continued to co-operate with the territorial premier in the effort to secure the provincial status upon satisfactory terms.

The period from 1897 to 1905 witnessed a tremendous development in the North-West Territories. For the decade 1891-1901 the rate of growth of the population was 238 per cent ; for the five years 1901-6 the rate was 270 per cent. The increase in the number of homestead entries was greater still.

The increased volume of immigration necessitated heavier expenditure upon education, public works, and local administration. The impossibility of introducing municipal organization into many districts outside the limits of the denser settlements transferred to the territorial government the burden and expense of administration in many matters which in the provinces belonged entirely to the municipalities. The vastness of the territories and the widely scattered nature of the settlement rendered the work of the government expensive.

The cost of education rested in the first instance upon the residents of the district where a school was established. To supplement this the territorial government paid grants calculated to induce regular attendance on the part of pupils, the employment of teachers of higher grade, and the lengthening of the session during which the school remained open. The introduction into the territories of colonies of European people who were often both illiterate and poor increased the necessity and the expense of education. The indifference of the half-breeds and foreign settlers to the advantages of schools and the scantiness of the population in the newer settlements often compelled the government to bear almost the entire cost of providing educational facilities.

Wherever twelve adult persons resided upon an area of thirty-six square miles, the construction of ordinary roads and similar public works became a charge upon the local community. Under the local improvement ordinance an annual levy of $2.50 was made upon the owner of each quarter-section. Railway and colonization companies escaped the payment of their just proportion of taxes because the Dominion government did not force them to locate the lands to which they were entitled. The Canadian Pacific Railway

enjoyed the privilege of exemption from taxation. The government was forced to come to the assistance of settlers where the following special expenditures were necessary: the construction of culverts and bridges; clearing and grading of roads; purchase of tools and instruments for road and other works; surveys; construction of dams to form reservoirs for the storage of water and the boring of wells; making fire-guards; supplying ferry accommodation; repairing public works previously constructed; the inspection of coal-mines and steam-boilers; and the providing of educational work of an agricultural nature to supplement the experimental work of the Dominion government.

To secure the necessary funds for these purposes it was felt to be undesirable to have recourse to direct taxation, for to impose impossible burdens upon pioneers would operate disastrously upon immigration. The alternative was to secure increased grants from the Dominion government. The financial relations between the territorial and Dominion governments had steadily improved. In its estimates parliament originally made provision for certain specific services. Additions made from time to time to the services rendered by the assembly had secured to the territories an extension of power. In 1891 the assembly gained control of the Dominion grant. A certain parliamentary supervision still continued under the guise of a Dominion audit, but even this check was removed on June 30, 1896. The assembly took measures itself to provide a complete control and audit of such funds as were under the territorial supervision. The assembly, however, did not possess control of all Dominion appropriations for government *in* the territories. The government *of* the territories disposed of only one of six items in the annual appropriation made by the Dominion *for* the territories. The department of Justice administered the expenditures upon criminal justice. Other expenditures were administered by the department of the Interior directly or through the lieutenant-governor of the territories personally.

The demands made upon the government of the territories during the period 1897-1905 increased at an enormous rate. The annual expenditure at the end of the period was four times

as great as at the beginning. The difficulty for the territorial government consisted in one simple but exceedingly important circumstance—the increase in the Dominion grants fell far short of keeping pace with the demands for expenditure that the development of the country imposed upon the government.

There is no doubt that during the earlier years of the period now under review the territorial government was prepared to postpone the attainment of full provincial powers in favour of a satisfactory financial arrangement. Advantage was taken of every opportunity to draw attention to the 'great disproportion existing between the means at command and the ever growing necessities of the rapidly increasing population of the territories.' [1]

When parliament increased its annual grant, the money was accepted as 'affording a temporary and partial amelioration of otherwise impossible financial conditions.' Addressing the minister of the Interior on January 14, 1899, Haultain clearly enunciated the government's position

> The North-West Government has now at hand all the official machinery necessary to carry on the most intricate matters of government. It has undertaken the duties devolving upon it under its limited powers and shows a willingness to assume any other burden which might fall upon it by reason of any extension of its powers. It only lacks suitable financial and other arrangements to warrant the successful maintenance of these burdens. To this end it is proposed for consideration that a tentative financial agreement be entered into based upon the terms embodied in the British North America Act and the Manitoba Act, under which the North-West Government will be required to undertake all the services which fall upon Provincial Governments. In this way Parliament would be relieved from making special provision for particular services that by reason of their essentially local nature can be more readily administered by local authority than that of the Dominion. Such a proposition implies that as ample powers will be given to the Legislative Assembly of the Territories as pertain to the Legislatures of any of the Provinces. If reasons exist

[1] Speech of the lieutenant-governor at the opening of the session in 1900.

> why this proposal cannot be agreed to, then the amount asked for in the accompanying estimates should be appropriated for the services of the Territories, but the serious consideration of the Government is urged to the proposal. A favourable acquiescence in its terms need not place the Territories upon any other political footing than they occupy at present.

In 1899 the proposal for the formation of a province came by way of suggestion ; in 1900 it was made the prayer of a petition. The needs of the territories became so insistent that in less than three years it formed the subject of a demand. This development was not due alone to the increase of population but to the growth of political self-consciousness, which found expression in resolutions insisting upon the maintenance of the territories intact, in a growing appreciation of the anomalous position in which the territories stood with respect to the administration of justice,[1] and in an increasing dissatisfaction with the limited territorial jurisdiction with regard to property.[2]

The resolution that the legislative assembly passed on May 2, 1900, was destined during the succeeding years to serve as the basis of much discussion. It was a respectful request for the consideration of the terms upon which the territories might enter Confederation. The resolution was, in part, as follows :

> Whereas repeated representations have been made in various ways to the Government of Canada with a view to obtaining just and equitable financial assistance

[1] Attention was attracted to this question by a discussion as to the appointment and duties of coroners. Expenditure upon criminal justice was derived from three sources : the department of Justice, the department of the Interior (either directly or through the office of the lieutenant-governor), and the territorial attorney-general's department. The North-West government had the sole right of appointing officials, but no right to prescribe their duties nor responsibility for the discharge of any duties whatever. Considerable trouble arose with the magistrates and court officials with respect to the proper apportionment of penalties and forfeitures.

[2] Conflicts arose between Dominion legislation upon titles to land and territorial legislation upon property. As land constituted the greater part of the property in the territories, nearly all territorial legislation dealing with property was rendered ineffective. In 1903 the jurisdiction of the legislature was extended to land titles.

> towards providing for the proper and effective administration of local affairs in the Territories and for the public necessities of this rapidly increasing population ; And whereas such representations have been met by intermittent and insufficient additions to the annual grant, the provisions so made by the Parliament of Canada never bearing any adequate proportion to the financial obligations imposed by the enlargement and development of the political institution created by itself ; And whereas it is desirable that a basis should be established upon which the claim of the Territories to suitable financial recognition may be settled and agreed upon ; THEREFORE be it RESOLVED that an Humble Address to His Excellency the Governor General be adopted by this House praying him that he will be pleased to cause the fullest enquiry to be made into the position of the Territories, financial and otherwise, and to cause such action to be taken as will provide for their present and immediate welfare and good government, as well as the due fulfilment of the duties and obligations of government and legislation assumed, with respect to these Territories, by the Parliament of Canada ; And be it further RESOLVED that . . . His Excellency be also prayed to order enquiries to be made and accounts taken with a view to the settlement of the terms and conditions upon which the Territories or any part thereof shall be established as a Province, and that before any such Province is established opportunity should be given to the people of the Territories through their accredited representatives of considering and discussing such terms and conditions.

The effort to secure better financial arrangements from the Dominion government was merged in, but still remained the dominant element of, the agitation to obtain fuller powers and a complete provincial status. Every opportunity was taken to insist that ' legislative jurisdiction and administrative responsibilities have been enlarged and increased out of all proportion to the means placed at the disposal of the North-West government.' On January 30, 1901, Haultain wrote to the minister of the Interior :

> The Territories have arrived at a point where by reason of their population and material development, the larger

> powers and larger income of a Province have become necessary. I have already in former communications pointed out to you how our limited powers are still more limited by the reservation of subjects such as the Land Titles law, the administration of the Criminal law and the control of the public domain. It is undoubtedly in the interest of any Province or Provinces hereafter to be established, that the important questions surrounding the subject of the public domain should be settled at once, and before any more of the public lands of the Territories are alienated from the Crown.

To this communication Clifford Sifton, minister of the Interior, replied in a letter that was calculated to lend encouragement to the agitation for the provincial status :

> I admit that there is very much in the suggestions which are made in your letter and in the memorial regarding the necessity of a change in the constitutional and financial position of the Territories. Without at the present moment committing myself to any positive statement, I am prepared to say that the time has arrived when the question of organizing the Territories on the Provincial basis ought to be the subject of full consideration.

During 1901 various communications passed between the two governments. On December 7, in response to a request made by a sub-committee of the Privy Council, Haultain drew up a statement of the territorial position. At the same time he presented a draft bill setting forth the views of the executive council. He directed attention to the circumstance that the growth of new settlements had increased the work and expenditure on the part of the territorial government out of all proportion to the addition to the population. The public revenue of the territories went to swell the consolidated fund of Canada ; their public domain was employed for purely Dominion purposes ; they were not permitted to draw on the future ; their revenues were limited practically to the grants annually made by parliament for ' government of the North-West Territories ' ; they were not entrusted with the expenditure of even the whole amount of that sum.

The Dominion government did not make provision for the actual and crying necessities of the country ; it cut the territorial estimates down to nearly half ; it directed the attention of all new settlers to locations which for lack of roads and bridges it was sometimes impossible to reach. In their requests for means to carry on their work the territories had been moderate. Owing to the successive annual failures of parliament to vote adequate grants, the territorial government found itself entirely unable to cope with the accrued public necessities. Haultain concluded by asking for the erection of a province upon the principles of the British North America Act. The demands embodied in the draft bill included :

1. The erection on January 1st, 1903, of *one* province out of the territory lying to the south of the 57th parallel of north latitude—an area of 404,000 square miles ;
2. Representation in the Senate by four members, in the House of Commons by ten members, with provision for increase to be based upon the growth of population ;
3. The exclusive right to make laws in relation to irrigation ;
4. The continuation of power to enact liquor legislation ;
5. The transfer to the new province of public lands, mines, minerals, timber, royalties and public property and buildings ;
6. An adequate financial subsidy ;
7. The yearly payment of interest for lands already granted by the Dominion otherwise than for homesteads, pre-emptions or in settlement of the half-breed claims.

Haultain also asked for legislation to remove the Canadian Pacific Railway exemption from taxation, contending that the money spent by settlers in improvement of their homesteads enhanced the value of Canadian Pacific Railway lands, and that it was but just that the company should contribute towards the cost of works from which they derived great benefit.

The Dominion government refused to introduce legislation establishing provincial institutions in the session of 1902. The reasons advanced were that the population was

too sparse, that the increase in population was altering the conditions to be dealt with, and that a divergence of opinion existed whether there should be one province only or more than one. The government, however, promised to take into consideration the question of an increased subsidy. The refusal of the government to grant immediately the provincial status called forth from Haultain a very pointed letter and from the legislative assembly a resolution of regret. The letter of the provincial premier concluded :

> While we may, in your opinion, without inconvenience mark time constitutionally, we cannot do without transportation facilities, the roads, the bridges, the schools and the improvement which our rapidly growing population imperatively requires, and at once. Whether we are made into a province or not, our financial necessities are just as real, and in conclusion I can only trust that when the question of an increase to our subsidy is receiving consideration, more weight will be given to our representations in that respect than has been given to our requests for constitutional changes.

The regret of the assembly at the postponement of the provincial status was couched in a resolution proposed on April 8, 1902, by Haultain. An amendment supported by seven members of the house was offered by Patrick and Bennett. This expressed sympathy with many of the claims which the territorial government had put forward in Haultain's draft bill. It supported the position taken with reference to provincial ownership of public lands, mines, timber, and royalties, parliamentary allowances, and the exclusive power to legislate with respect to irrigation. The feature of the amendment that was noteworthy was its plea for the erection of two provinces approximately equal in size out of the area south of the 60th parallel of north latitude. During the next three years the question of creating more than one province was much canvassed. On one phase of the subject there was complete unanimity within the territories—there should be no extension of Manitoba westward. Practically no opposition was manifested to enlarging Manitoba in a northerly direction. For the division of the territories into

provinces no less than four distinct plans were suggested at different times :

1. The territorial government advocated *one* province south of the 57th parallel of north latitude. This view was supported by the territorial press generally.
2. *Two* provinces divided by a boundary running *east* and *west* : one comprising the country traversed by the Canadian Pacific Railway ; the other the district traversed by the Canadian Northern Railway.
3. Two provinces divided by a boundary running *north* and *south*. This suggestion ultimately was adopted.
4. In Prince Albert the plan of creating *three* provinces was favoured—Assiniboia and part of Western Alberta ; Northern Alberta and the Peace River country ; Saskatchewan and Eastern Athabaska.

The agitation was prosecuted with great vigour during 1903. On January 31 Haultain wrote to Sifton that the necessities were urgent and the movement in favour of provincial institutions unanimous. In insisting upon the financial disabilities and administrative difficulties under which the territories laboured, he quoted from his address to his own constituents in which he had urged that the rapid increase of population had rendered the revenue of the territories totally inadequate to meet the public demands, and that the only solution to existing difficulties was to be found in the larger powers and income which are associated with the provincial status. The conclusion of that address was a brief statement of the claims which the government made for the province to be established :

(1) Equal rights with all other provinces of the Dominion and the same financial consideration that has been given to those provinces ;
(2) Control of the public domains in the West by the West and for the West ;
(3) Compensation for the alienation of any part of the public domain for purely federal purposes ;
(4) The removal of the unjust and onerous Canadian Pacific Railway exemption from taxation.

The re-election of those who endorsed his views, the premier

claimed, disproved the contention of the Dominion government that the people of the territories were divided on the question of provincial establishment. 'We have nothing new to lay before the government,' he added, 'nothing but what has already been stated, save only that the conditions are growing more intolerable, the financial stringency more accentuated, and our constitutional inability to do anything to help ourselves still more marked.'

The struggle for the provincial status was carried on by means of correspondence and interviews between the members of the two governments and by addresses from the legislative assembly to the governor-general in council. On April 24, 1903, the assembly forwarded to Ottawa an address which in unambiguous phraseology insisted upon the need of immediate financial aid, and asked for the establishment of provincial institutions. This called forth an offer to advance on capital account $500,000 from time to time for approved public works. Haultain in his reply indicated that the territories were likely to yield neither in their financial nor in their constitutional claims, and were unwilling to subject their expenditures to approval at Ottawa. The offer was accordingly rejected 'until the details of the financial position of the Territories under the Provincial Status are settled.'

During this year the question of provincial autonomy passed beyond the bounds of mere negotiation between the two governments. It became a matter of public discussion. The granting of provincial status was debated in the House of Commons and strongly championed by the Toronto *News*. In the debate on R. L. Borden's resolution to bestow provincial autonomy Frank Oliver said :

> I beg to assure the honourable gentlemen that the territories are not in the state of excitement in regard to provincial organization which they seem to imagine. They will find that with fair treatment in the matter of subsidy the people will be satisfied, whatever the politicians may be.

The Toronto *News* found the explanation for the postponement of the settlement of the question to be the hesitation

of the Dominion government to deal with the question of separate schools. On July 13, 1903, Dr Goggin, late territorial superintendent of education, stated in that paper that certain powerful political influences operating outside the territories had made it clear at Ottawa that a guarantee of separate schools and dual language must be an integral part of any autonomy measure. On October 31 the same newspaper averred that the real reason for delay was not mentioned in public—'The Government dare not act, for it fears the raising of the Separate Schools issue by the Hierarchy of Quebec.'

It is easy to exaggerate the interest which provincial autonomy awakened. The educational issue was raised neither in the territorial elections of 1902 nor in the Dominion elections of 1904. To Haultain the question of complete provincial control of education did not admit of dispute. To Sir Wilfrid Laurier could come no advantage from raising a vexed question on the eve of an appeal to the people. The question of granting full provincial rights continued as an occasional topic of newspaper discussion both within and without the territories. The language of the Calgary *Herald* was particularly lacking in restraint, for it declared on March 21, 1904, that the conduct of the administration at Ottawa was quite sufficient to raise another rebellion in the North-West Territories. The situation was clearly represented by the Montreal *Star* on April 8 :

> The people of the Territories are deprived of the control of their public lands, of their minerals, of their timber. They have no power to raise money on their own credit. They have no fixed subsidy, and are dependent on annual doles from the Dominion Government, small and uncertain in amount. They have no power to incorporate railway, steamboat, canal, transportation and telegraph companies. They have no power to amend their constitution, as the other Provinces have. They have no power to establish hospitals, asylums, charities and those other eleemosynary institutions which the British North America Act assigns to the Provinces. They are not allowed to administer the criminal law, which is a right possessed by all the Provinces of the Dominion.

On May 4, 1904, the Toronto *News* again returned to the charge that the question of separate schools was responsible for the postponement of autonomy :

> The principal reason for the slowness to give Autonomy to the West is that the Ottawa Government dare not give it. The Hierarchy of the Roman Catholic Church has served notice that when the Bill to make a new Province or Provinces is drafted, it must contain a provision establishing Separate Schools. Should this be done Separate Schools would be a permanent portion of the Western system.

In laying before the minister of the Interior on May 19, 1904, a statement of the financial requirement of the territories for 1904, Haultain presented an account of the work done and the taxation imposed upon themselves by the people of the territories during 1903.[1] He claimed that for 1904 at

[1] WORK PERFORMED IN LOCAL IMPROVEMENT DISTRICTS DURING THE YEAR 1903

Implements purchased	$10,000.00
664 days' work with road graders @ $3	1,992.00
605 miles fireguard ploughed @ $10	6,050.00
727 miles road graded @ $20	14,540.00
464 miles road cleared @ $10	4,640.00
2,218 small bridges built at $30	66,540.00
1,179 small bridges repaired @ $10	11,790.00
36 dams built @ $75	2,700.00
92 dams repaired @ $25	2,300.00
3,337 sloughs and holes filled @ $10	33,370.00
50,970 yards corduroy complete @ 75c.	38,227.50
	$192,149.50
Amount raised by two rural municipalities	31,506.00
	$223,655.50

SCHOOLS IN OPERATION

Year	Number	Year	Number
1901	682	1903	916
1902	783	1904	1116

TAXATION

Collected by rural districts at a rate varying from 2 cents to 10 cents per acre	$225,198.19
Collected by town and village districts at a rate varying from 10 to 15 mills	192,540.24
	$417,738.43

DEBENTURE INDEBTEDNESS, 1903

171 Districts were authorized to borrow	$210,760.00
159 Districts registered debentures for	205,210.00

least $1,000,000 was required to perform the services imposed by parliament. The expenditure upon public works should not be less than one-half of this amount. All other expenditures were of an extremely inelastic character. The consequence was that if the Dominion grant fell below the sum asked for, the territorial appropriation for roads, bridges, and other similar public works would, to that extent, have to be curtailed. He quoted from a letter addressed by his former colleague, A. L. Sifton, to the minister of the Interior on January 9, 1903. This letter summarized the claim of the territorial government :

> The Territories having all their assets in the hands of the Dominion Government must therefore depend upon the Dominion Government for this source of revenue as well as for the annual subsidy which they receive for ordinary services, and until such time as the Dominion Government is prepared to assume the responsibility for the formation of a Province or Provinces upon terms which will enable them to assume their own liabilities, it rests with the Dominion Government to furnish the necessary means to carry on the work in a proper manner commensurate with the work that is done in the other Provinces of the Dominion.

At the same time Haultain, in a communication to the prime minister, insisted that legislation organizing the territories upon the provincial status should contain provision for :

> 1. The application of the British North America Act as far as possible to the area dealt with ;
> 2. Adequate representation in both houses of parliament, bearing in mind the difference in the ratio of the increase in the population in the territories, from that of the longer settled parts of the Dominion ;
> 3. Government, legislature, and the administration of justice ;
> 4. The preservation of vested rights ;
> 5. The transfer of the public domain with all territorial rights and the beneficiary interest therein involved ;
> 6. A subsidy based as nearly as may be on those given to the provinces ;

7. Remuneration for that part of the public domain alienated by the Dominion for purely federal purposes;

8. The placing of the burden of the Canadian Pacific exemption upon the Dominion.

The speech of the lieutenant-governor at the opening of the session, September 22, 1904, expressed satisfaction at the more liberal allowance granted by the Dominion government, but regret that the movement towards the establishment of the territories upon the provincial basis had not been materially forwarded during the year. Within a few days, however, Haultain received the first definite intimation that the settlement was within reach. This information was conveyed in a letter from Sir Wilfrid Laurier bearing date of September 30, 1904:

> Circumstances have justified the wisdom of the course adopted by my Government in declining to deal finally two years ago with the many important questions involved in the admission of the North-West Territories into confederation as a province or provinces. Rapid development has taken place in the North-West Territories during the intervening period, and I am inclined to the view that all those who will be called upon to give consideration to the subject will be in a position to deal with it in the near future with the advantage of fuller and more comprehensive information than could possibly have been available two years ago. You will have learned prior to the receipt of this letter that Parliament has been dissolved. The new House of Commons will contain not four, but ten representatives of the North-West Territories, who, coming fresh from the people, will be entitled to speak with confidence as to the views and requirements of those whom they represent. Should my Government be sustained we will be prepared immediately after the election to enter upon negotiations for the purpose of arriving at a settlement of the various questions involved in the granting of provincial autonomy with a view to dealing with the question at the next session of Parliament.

On October 8, 1904, the fifth legislative assembly of the North-West Territories concluded its third session; and this

was destined to be the last session of an assembly claiming to represent the North-West Territories. In the following year the Dominion parliament passed two acts, the Alberta Act and the Saskatchewan Act, providing for the erection on September 1, 1905, of two provinces, Alberta and Saskatchewan. The passing of this legislation awakened a lively interest in every part of the Dominion. It contained provisions that ran counter to the demands of the territorial premier in the number of provinces, the ownership of public lands, and the imposition of restrictions upon the educational jurisdiction of the new provinces.

The question of separate schools was the most prolific source of controversy. When Sir Wilfrid Laurier introduced the autonomy measures into parliament, the educational legislation in force in the territories was the ordinance of 1901. This legislation provided for the establishment of separate schools possessed of the same 'rights, powers, privileges and subject to the same liabilities and method of government' as public schools. No religious instruction was permitted until one half-hour previous to its closing for the afternoon. The educational clause proposed by Sir Wilfrid Laurier[1] aimed, he declared, simply at continuing the educa-

[1] The clauses were:

'1. The provision of section 93 of the British North America Act, 1867, shall apply to the said Province as if at the date upon which this Act comes into force, the territory comprised therein were already a province, the expression "the Union" in the said action being taken to mean the said date.

'2. Subject to the provisions of the said section 93 and in continuance of the principle heretofore sanctioned under the North-West Territories Act, it is enacted that the Legislature of the said Province shall pass all necessary laws in respect of education and that it shall therein always be provided (*a*) that a majority of the ratepayers of any district or portion of the said Province or of any less portion or subdivision thereof, by whatever name it is known, may establish such schools therein as they think fit and make the necessary assessments and collection of rates therefor, and (*b*) that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish Separate Schools therein, and make the necessary assessment of rates therefor, and (*c*) that in such cases the ratepayers establishing such Protestant or Roman Catholic Separate Schools shall be liable only to assessment of such rates as they impose upon themselves with respect thereto.

'3. In the appropriation of public monies by the Legislature in aid of education and in the distribution of any monies paid to the Government of the said Province arising from the school fund established by "The Dominion Lands Act" there

tional system that already existed in the territories. He insisted that the separate schools contemplated by the bill, far from being ecclesiastical schools, were practically national schools. He desired to have the present arrangement adopted as a fundamental principle of the provincial constitution. The provincial department of Education would still control the educational policy of the province. All teachers would, as before, have to pass its examinations and possess its certificates. It would control all secular matters. No books but those approved by it could be used in the schools. Only the English language might be employed for instruction. At 3.30 P.M. religious teaching could be imparted subject to regulations adopted by the trustees of the school. But attendance was never to be made compulsory. Even to some, however, who agreed with the premier's views the wording of the bill did not seem happy. It had the appearance of evil—that the Dominion government was imposing upon the territories a separate school system, and not merely crystallizing existing arrangements.

Early in March Sifton's resignation from the cabinet was announced. Under date of March 11 Haultain addressed an open letter to the prime minister criticizing the formation of two provinces, claiming for them the public domain, objecting to Dominion control of irrigation, and protesting vigorously against the educational clauses of the bill. He contended that the question at stake was not the religious rights of minorities but the constitutional rights of provinces.

It is not germane to the political history of the North-West Territories to pass in review all the controversies of Ontario and Quebec, or to treat the outbursts of religious feeling and sectarian passion engendered throughout the Dominion, the political crisis at Ottawa, the Sbaretti incident, the resolutions of lodges, conferences, societies, the public utterances of leaders in churches and colleges, the protests of mass meetings, the bitterness of newspaper discussions,

shall be no discrimination between the Public Schools and the Separate Schools and such monies shall be applied to the support of the Public and Separate Schools in equitable shares or proportion.'

or Professor Goldwin Smith's characterization of the bill as 'the attempt of Sir Wilfrid Laurier, manifestly under the pressure of his sacerdotal supporters, to impose permanently on the North-West the system of sectarian schools, violating thereby the vital principles of the separation of the Church from the State and the equality of all religions before the law.'

Finally a compromise amendment was decided upon. Sifton and the western liberal members united upon a measure which guaranteed the right to establish separate schools entirely subject to provincial control. In the territories, apart from editors and politicians, little perturbation was manifested. The educational clause that was ultimately adopted safeguarded all rights or privileges which at the passing of the acts erecting the provinces any class of persons possessed with respect to separate schools, or religious instruction in any public or separate school, under the territorial ordinance of 1901.

On September 1, 1905, the provincial status was acquired, but on terms that in more than one particular differed from those for which the territorial government had been contending. The financial arrangements were satisfactory. But *two* provinces were erected; the Dominion retained all public lands, mines, minerals, and royalties; the Canadian Pacific Railway exemption from taxation persisted; and provincial jurisdiction in education was incomplete. Nothing could have emphasized this transition to a new political order in a more striking manner than the fact that in the circumstances of the formation of the new provincial governments Haultain, who for nearly twenty years had been the foremost figure in the political life of the North-West, was forced from his position as premier of the territories into the leadership of the opposition in the new legislative assembly of the Province of Saskatchewan.

The erection of the provinces should naturally have been the consummation of the achievements of the minister of the Interior and of the territorial premier. For both it involved a large measure of political retirement. The resignation of Clifford Sifton, whose policy had contributed so

largely to that development of the territories which rendered the bestowal of the superior status imperative, was brought about by the terms of the creation of the new provinces. Haultain, who for nearly twenty years had served as elected member of the old North-West council, as member of the advisory council and of the executive committee, and finally as head of the executive council, had contributed more than any other person to the government of the territories. It was but natural that he should stoutly espouse the cause of provincial rights. His championship of better terms for the new provinces threw him into direct opposition to the Dominion government. His appearance on public platforms in Ontario in the interest of conservative candidates was not calculated to secure for him political advancement at the hands of a Dominion administration that was liberal. In the circumstances of the transition to the provincial status Haultain was retired from office.

But this new political order did not constitute a complete break with the past. Nothing illustrates the continuity of political development better than the promotion of Frank Oliver to be minister of the Interior. On the occasion of the laying of the corner-stone of the new legislative and executive buildings in Regina, Saskatchewan, on October 4, 1909, Walter Scott, the premier of the province, introduced Oliver in the following terms :

> He is a pioneer of pioneers, and of him, perhaps in greater degree than of any other man, it may be said that he has guided the constitutional destinies of this part of Canada. In the earlier days in the old North-West Council, later in the Legislative Assembly of the Territories, still later as one of the small band from this territory who were sent to Ottawa as the representatives in the House of Commons, and where for the last four and a half years he has still been the representative of Western Canadian interests of the Dominion, Mr Oliver has been fighting the battles of the people of this country.

But eminent as have been the services of Frank Oliver, the North-West Territories owe a debt of gratitude as great to Frederick W. G. Haultain, James H. Ross, and Clifford

Sifton for that constitutional and economic development which rendered imperative the bestowal of the provincial status.

III

THE PROVINCES

The Province of Saskatchewan

ON August 25, 1905, Amédée Emmanuel Forget, who had been clerk of the North-West council under the first resident lieutenant-governor of the territories, and had himself been lieutenant-governor since 1898, was gazetted the first lieutenant-governor of the new Province of Saskatchewan. When sworn in, Forget said: 'I have seen the country grow up from its birth, develop during its years of infancy, progress through youth, and to-day, with you, I have the intense satisfaction to see it giving birth to two fine provinces.'

On September 5 he called upon Walter Scott to form a government. A week later Scott announced his cabinet:

> Walter Scott, prime minister, president of the executive council and commissioner of Public Works.
> John Henderson Lamont, attorney-general.
> William Richard Motherwell, provincial secretary and commissioner of Agriculture.
> James Alexander Calder, provincial treasurer and commissioner of Education.

The action of the lieutenant-governor in calling upon Scott instead of Haultain caused much comment. In the House of Commons R. L. Borden charged the prime minister with having interfered for party purposes. Sir Wilfrid Laurier replied that the lieutenant-governor had no other course open to him:

> Everyone knows that Mr Haultain thought fit—I am not questioning his motives—to take part in the struggle during the last session in the bye-elections in London and

> North Oxford. And everyone knows also that the language he made use of in both constituencies left no doubt at all that if he had the power he would do everything he could to destroy the constitution which we have given to the Provinces of Saskatchewan and Alberta.

A sharp campaign followed in the autumn of 1905. As liberal leader Scott accepted the Saskatchewan Act as 'practically wise, constitutionally sound, and financially favourable.' Haultain, on the other hand, formed the 'Provincial Rights' party. He claimed that parliament had overstepped its powers in the matter of education, that there should be provincial control of public domain, and that there should be no exemption from taxation for the Canadian Pacific Railway. Archbishop Langevin participated in the campaign by a letter to the electors asking them to return Scott as premier. The election on December 13 gave the Scott government a majority of eight. This was interpreted as justifying the action of Lieutenant-Governor Forget.

According to the provisions of the Saskatchewan Act, territorial laws in force on September 1, 1905, were not affected by the constitutional changes involved in the erection of the province. The first legislative assembly provided for the consolidation of the laws of the province and made a splendid beginning in laying the foundations of important provincial institutions. Before the dissolution in 1908 the whole machinery of government for the Province of Saskatchewan was reconstructed and organized.

Upon the establishment of the province the first administration found an almost complete body of law requiring, in some respects, adjustment to the new conditions, and, in others, enlargement owing to the extension of powers consequent upon the new status. Upon the basis of territorial legislation the Scott administration has established a judicial system, expanded the educational system, has instituted a complete system of government, constructed and operated long-distance telephones, organized municipal institutions for both urban and rural communities, constructed numerous public roads, bridges, and buildings, granted support to pro-

jects of railway extension, and aid to every phase of agriculture in the province. Laws have been enacted relating to public health, the public service, the executive council, legislative assembly, public departments, medical and dental professions, the organization and extension of secondary educational institutions, the university, cities, towns, villages and rural municipalities, workmen's liens, mechanics' liens, threshers' liens. All banks, insurance companies, loan companies, railways and express and telegraph companies, and other financial corporations have been compelled to contribute a tax towards the cost of public administration. Measures have been passed with reference to the liquor traffic, drainage and watercourses, inspection of factories, libel, and employers' liability. Agriculture has been excluded from the operation of a workmen's compensation bill, which does not recognize either wilful negligence or drunkenness as involving forfeiture of compensation. Provision has been made for the creation of an industrial bureau to supply information with respect to the provincial labour market and to secure winter work for harvesters remaining in Saskatchewan. The Devolution of Estates Act has been amended to compel testators to bequeath at least one-third of their estates to their widows. A cheap and summary procedure has been provided for the relief of deserted wives. The legislature has put on record its demand for the placing of the Canadian Pacific Railway tax exemption as a burden on the whole Dominion and for provincial control of all public lands and natural resources other than agricultural lands. Among the most notable measures of constructive legislation has been the co-operative elevator bill.

Since September 1, 1905, the number of towns has increased from 16 to 51 and Saskatoon has become a city. Of the additional 35 towns, 23 are north of the main line of the Canadian Pacific Railway, only 8 are west of Saskatoon, and none are off lines of railroad. On the erection of the province, 1 city, 4 towns, and 21 villages out of a total of 3 cities, 14 towns, and 40 villages were north of township 21. On February 25, 1911, out of a total of 4 cities, 51 towns, and 187 villages no less than 2 cities, 26 towns, and 113 villages were north of township 21.

The movement of population has been northward and slightly westward. The great majority of the villages established are north of the main line of the Canadian Pacific Railway: 11 out of 17 in 1906; 17 out of 27 in 1907; 20 out of 22 in 1908; 34 out of 40 in 1909; 28 out of 34 in 1910. Nothing indicates better the fact that the recent settlement of Saskatchewan has followed the routes of the railroads than the circumstance that of all the villages established since the erection of the province, not a single one has been at a distance from a railroad built or under process of construction. Of 147 established since September 1, 1905, no less than 49 have been on the main lines of the Canadian Northern Railway and Grand Trunk Pacific.

Since Saskatchewan became a province there have been added to its population more than twice as many Americans as all other non-Canadians put together. The number of American homesteaders has not differed greatly from that of Canadian homesteaders. The proportion of newcomers who have not joined themselves to the rural population of the province has been much greater among the English-speaking immigrants than among the European peoples.

In 1897 the population of what is now Saskatchewan was somewhat homogeneous in character, the majority being Eastern Canadians in a belt along the main line of the Canadian Pacific Railway east of Moose Jaw. Little groups also had settled along the rivers Qu'Appelle and Saskatchewan. Saltcoats and Gainsboro represent a third class of settlements, neither numerous nor large, which the expectation of new routes of railroads or special circumstances had attracted away from the great rivers and the main line of railway. The expansion of the railway system and the increase of immigration have been contemporary and mutually beneficial. The new lines of railway have become the arteries of colonization. The new settlements have been the life that has sustained the railroads.

The problem constituted by the coming of so many people of different nationalities and different resources has been greatly simplified by their common desire to found new homes

on the prairie, the common necessity laid upon them to solve the same problems of prairie-farming, and by the operation among all of one provincial educational system. Out of an economic uniformity and a common education may be anticipated the assimilation of the second, or, at the latest, the third, generation to Canadian ideas and aspirations. This process of assimilation receives an important impulse from intermarriages. During the five years 1906-10 the total number of marriages in Saskatchewan was 10,895. Of these 22 were with or between Indians; in 72·6 per cent of the marriages both contracting parties were English-speaking; in 8·3 per cent the union represents a process of speedy assimilation, where a bride or groom who was English-speaking married a non-English-speaking person—in this class the next generation will be thoroughly Canadian. No less than 15·4 per cent of the marriages tend to perpetuate national and racial characteristics that are non-Canadian. Of the marriages 3·3 per cent produce only a tardy assimilation to Canadian customs and manners. In this class of marriage the contracting parties belong to different non-English-speaking nationalities. Children born of this last type of marriage will, however, be more Canadian than their parents.

In the budget speech of March 21, 1911, the problems that confront Saskatchewan were indicated. It was pointed out that questions had been raised that session which as a government they must take hold of, and to which the legislature must apply itself from year to year. One such question was the removal of the Canadian Pacific Railway tax exemption. Another was the securing of their hinterland and natural resources. There was also the question of getting hold of their school land funds. Then there was a problem which would have to be dealt with and which would be with the province for years to come—the problem of good roads.

In March 1911 Saskatchewan had an estimated population of over four hundred thousand, an annual total general revenue of nearly two and a half million dollars, and a public debt of a little more than seven million dollars. With its steady growth

of population, its development of rural resources, its continually improving transportation facilities, its better acquaintance with the conditions of prairie agriculture, its aggressive policy in education and public works, its municipal, judicial, and legislative system organized in harmony with its political status, no cloud appears on the economic or social horizon of the Province of Saskatchewan.

The Province of Alberta

On August 25, 1905, the appointment of George Hedley Vicars Bulyea, who had been for some years a member of the territorial executive council, as lieutenant-governor of Alberta was gazetted. The lieutenant-governor called upon A. C. Rutherford of Strathcona to form a government. His cabinet was :

Alexander Cameron Rutherford, prime minister, minister of Education, and provincial treasurer.
Charles Wilson Cross, attorney-general.
William Henry Cushing, minister of Public Works.
William Thomas Findlay, minister of Agriculture and provincial secretary.
Leverett George De Veber, without portfolio.

In the electoral contest that soon followed the conservatives were led by R. B. Bennett of Calgary. Bennett attacked the terms of the Alberta Act and protested against the province being deprived of the full control of its schools and lands, but on November 9 the electors declared overwhelmingly in favour of the new government.

According to the provisions of the Alberta Act, territorial laws in force on September 1, 1905, were not affected by the constitutional changes involved in the erection of the province. Much constructive work, however, needed to be done, and this the first legislature performed quietly and effectively. The province was organized upon proper constitutional lines. Measures were passed to establish a university, to encourage secondary education, to tax lands outside of ordinary school districts and corporations in the interests of education. The restriction of the liquor traffic, the registration of land titles,

the establishment and maintenance of creameries, the encouragement of the poultry industry by means of co-operative fattening stations in connection with creameries, the improvement of live stock, the regulation of coal-mines and the limitation of the hours of labour for miners to eight *per diem*, the adoption of drainage regulations that would develop good roads and assess the expense of draining marsh-lands upon property to be directly benefited, the carrying through of legislation for the compensation of workmen employed in dangerous occupations, the appointment of royal commissions to investigate conditions in coal and meat products, the carrying out of the policy of owning long-distance or trunk telephone lines, of owning and operating rural lines and exchanges and municipal exchanges when desired by municipalities, the organization of courts of justice—such was the creditable record of the first legislature.

In 1909 the Rutherford government again won the elections by a large majority. The chief concern of the following session was railway extension, and the government's relation with the Alberta and Great Waterways Railway Company was destined to have important political results. This line was designed to connect Edmonton with the regions of the Peace and Athabaska Rivers. It was a part of the government policy of extending railway facilities to various portions of the province. In this same session the government guaranteed securities of the Canadian Northern Railway and Grand Trunk Pacific to the extent of $13,000 per mile. In the case of both railways the rate of interest was four per cent and the bonds were thirty-year bonds. The amount of bonds guaranteed for the Alberta and Great Waterways Railway Company was $20,000 per mile, the rate of interest five per cent, and the bonds were fifty-year bonds. The bonds were over-subscribed in London, and the price of the issue was 110. When the legislature met in February 1910, Boyle and Bennett immediately plied the government with questions concerning the Alberta and Great Waterways Railway Company. It developed that the bonds had been sold at par to J. P. Morgan and Company, and the amount realized on the sale was $7,400,000. This money had been

paid in to the Edmonton banks and was drawing interest at three and a half per cent.

On February 17, 1910, Premier Rutherford announced to the legislature the resignation of W. H. Cushing as minister of Public Works. Cushing's letter of resignation bore the date of February 14 and was in part as follows :

> There are several matters in which I am not in accord with you, the most prominent of these being the manner in which you have handled the railway policy of the Province, especially that part pertaining to the guaranteeing of the bonds of the Alberta and Great Waterways Railway. This transaction, put through without my knowledge or consent, is, in my judgment, such that I cannot with sincerity of heart and honesty of purpose defend before the electorate of this province, because in the agreement and specification signed by yourself you have utterly failed to protect the interests of the people.

On March 14 the resignation of Buchanan, minister without portfolio, was announced. Two days later a royal commission, composed of Justice Scott, Justice Harvey, and Justice Beck, was appointed to inquire

> whether any and, if any, which officer or officers of the government or member or members of the Legislature of the Province were or are interested either directly or indirectly, by themselves or through others, in the erection, incorporation or organization of the Alberta and Great Waterways Railway Company, or in the making of or entering into or carrying out a certain contract between the Government of the Province and the Alberta and Great Waterways Railway Company, or the guaranteeing by the Province of the securities of the said company or the sale thereof, or in the proceeds of or the amount realized from the disposition or sale of the said securities or otherwise howsoever in connection with the said company.

On March 19 the legislative assembly adjourned to May 26. When the house met, Lieutenant-Governor Bulyea announced that he had accepted the resignation of Premier Rutherford and had called upon A. L. Sifton to form a government. The new cabinet was composed as follows :

A. L. SIFTON, prime minister and president of the council, provincial treasurer, and minister of Public Works.
C. R. MITCHELL, attorney-general and minister of Education.
DUNCAN MARSHALL, minister of Agriculture.
A. J. McLEAN, provincial secretary.

On the erection of the province the cities were Calgary, Edmonton, Lethbridge, Strathcona, and Wetaskiwin. Up to March 1911 only one other city, Medicine Hat, had been incorporated. Prior to September 1, 1905, there were in existence 12 towns, of which 10 were on the Canadian Pacific Railway and 2 on the Canadian Northern Railway. To March 1911 there had been incorporated 16 others on the Canadian Pacific Railway, 2 on the Canadian Northern Railway, and 3 on the Grand Trunk Pacific. Before 1906 there were in Alberta 18 villages on the Canadian Pacific Railway, 1 on the Canadian Northern Railway, and 2 not on a railway. To March 1911 there had been incorporated 28 villages on the Canadian Pacific Railway, 12 on the Canadian Northern Railway, 7 on the Grand Trunk Pacific, and 4 not on a railway, all in addition to those which had previously existed. Prior to December 31, 1904, Alberta contained 72 small local improvement districts, of which 23 were south, and 49 north, of Red Deer. At the end of 1909 there were 188 small local improvement districts in Alberta, of which only 56 were south of Red Deer. With the exception of 2 local improvement districts near Irvine, all were arranged in a belt varying from 2 to 6 districts in width from Macleod to Red Deer along the line of the Canadian Pacific Railway. Three-quarters of the total number of local improvement districts in the province were situated in the region lying between townships 36 and 60, and from the Saskatchewan boundary to range 6 west of the 5th principal meridian. In this district of the Battle and North Saskatchewan rivers recent railroad development has been greatest. Four railways intersect it from east to west—the Canadian Northern Railway, the Grand Trunk Pacific, the Lacombe and Wetaskiwin branches of

the Canadian Pacific Railway; running north and south are the Canadian Pacific Railway from Edmonton to Calgary and branches of the Canadian Northern Railway and the Grand Trunk Pacific in the Camrose district. In Alberta, as in Saskatchewan, railway construction and municipal organization have proceeded hand in hand.

Apart from a belt along the Canadian Pacific Railway from Macleod to Red Deer, the great majority of homesteads patented before January 1, 1911, were contained in a quadrilateral somewhat greater than that formed by lines connecting Red Deer, Edmonton, Lloydminster, and Stettler. In various other districts are homesteads entered but still unpatented. Grazing leases, subject to cancellation on two years' notice, still exist south of the Cypress Hills between the Red Deer and Bow Rivers, between ranges 10 and 29 west of the 4th meridian, and throughout most of the district between range 11 west of the 4th meridian and the Blood Indian Reserve and south of the Belly River.

The economic resources of Alberta are more varied just as the climatic conditions are less uniform than in the case of Saskatchewan. But into both have poured peoples of many nationalities and widely different characteristics. Both provinces have sought, by the establishment of social institutions, to mould the newcomers into Canadian citizens.

The total number of marriages in Alberta during the five years 1905-9 was 8652. In 77·3 per cent of these both the contracting parties were English-speaking and claimed Canada, the United Kingdom, or the United States as their country of origin. This class of the population presented no problem of assimilation which could not be overcome by a period of residence within the province. In 4·5 per cent. of the marriages one of the contracting parties was Canadian or from another English-speaking country. In 5·2 per cent neither contracting party was a Canadian nor from another English-speaking country, but the bride and bridegroom belonged to different nationalities. In 13 per cent of the marriages the bride and bridegroom belonged to the same non-English-speaking nationality.

The non-English-speaking settlements have been chiefly

in the north. In the settlements south of the main line of the Canadian Pacific Railway the non-Canadian element has been mostly American. But nearly every nation in the world has contributed its quota to the rapidly increasing population of Alberta. Situated as it is at the gateway of the northern country of the Mackenzie River, no less than on the highway between the east and the west, this province, with its commanding position, its varied resources, and its favourable climate, is destined to witness at once a remarkable economic expansion and an interesting political development.

Edmund H. Oliver

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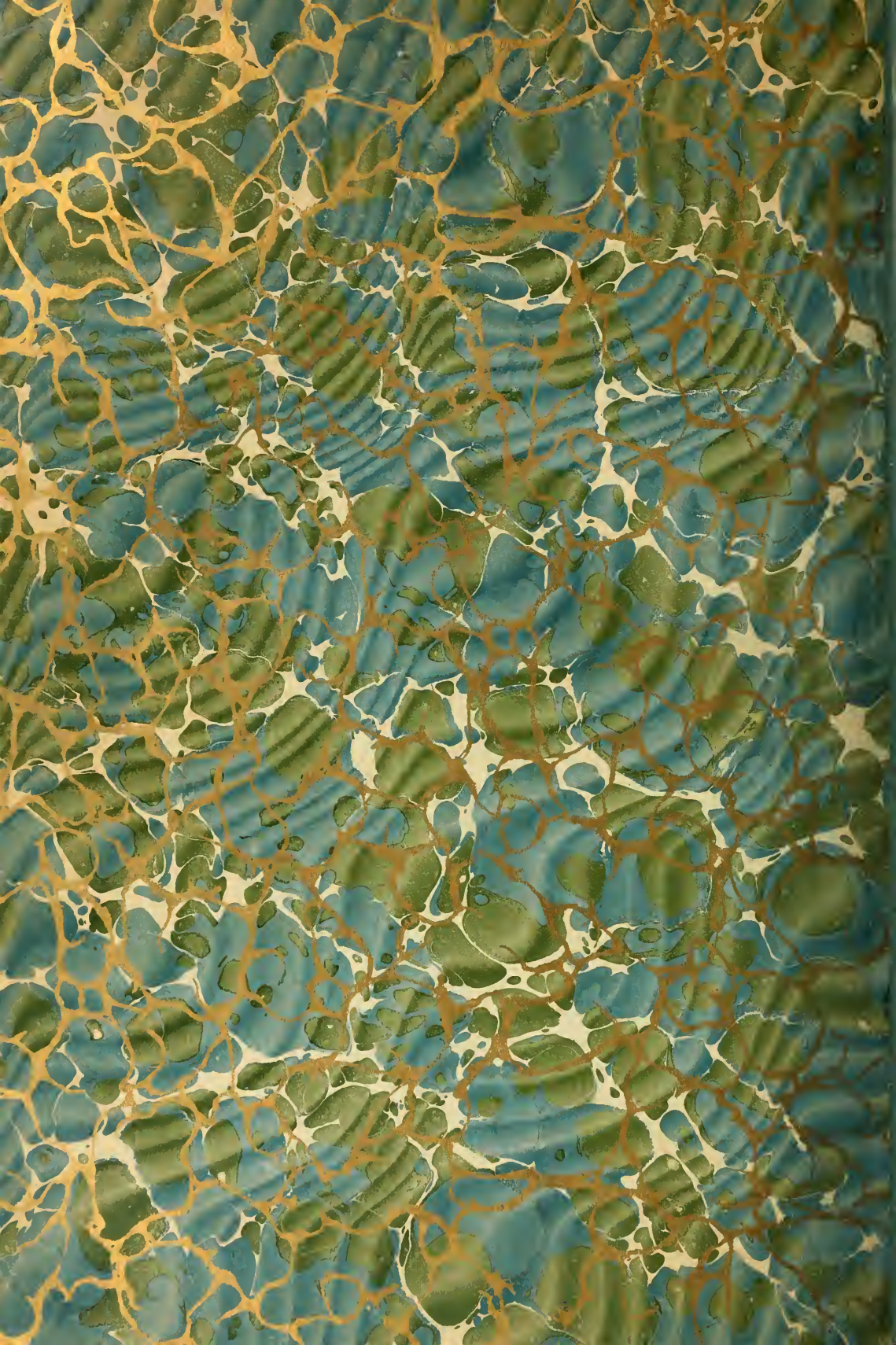

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